



Journal of the Senate

Number 13

Monday, April 4, 1994

CALL TO ORDER

The Senate was called to order by the President at 2:00 p.m. A quorum present—40:

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Turner
Childers	Grogan	Kiser	Weinstein
Crenshaw	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams

Excused: Senators Jenne and Scott, periodically for the purpose of working on Appropriations

PRAYER

The following prayer was offered by Bishop Francis Harris, St. Jude Coptic Orthodox Church, Tallahassee:

The Lord be with you.

Almighty and Ever Living God, thou who set up the first Senate, may it please you to be present here in this Senate to bless all our delegations.

Thou who art the law giver, thou who gave us your law, grant that the law that we make here will be to govern your people. May the Holy Spirit guard our efforts. Bless each one, bless their families, bless the Governor of the State. This we ask through Jesus Christ, our Lord. Amen.

PLEDGE

Senate Pages, Janie Sullivan of Winter Haven and A. Lee Hudgins, IV of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

CONSIDERATION OF RESOLUTIONS

On motion by Senator Crist, by two-thirds vote **SR 2094** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Crist—

SR 2094—A resolution honoring Charlie Ward for winning the 1993 Heisman Trophy.

WHEREAS, Charlie Ward, as quarterback of the Florida State University football team, led his team to an 11-1 record in 1993, and

WHEREAS, On January 1, 1994, Charlie Ward quarterbacked the team to its second consecutive victory in the Miami Orange Bowl, and

WHEREAS, as a result of the success that his team has had under the direction of Charlie Ward, Florida State University was recognized as national champions for the 1993 season, and

WHEREAS, in 2 years as starting quarterback, Charlie Ward has set myriad school season and career records, and

WHEREAS, Charlie Ward served as Vice President of the Student Body at Florida State University, and

WHEREAS, Charlie Ward's leadership, citizenship, and scholarship have earned him recognition nationwide, bringing awards such as First-Team All-American, two-time Atlantic Coast Conference Player of the Year, the Walter Camp Award, and others, and

WHEREAS, because of the national recognition of his abilities and outstanding character, voters have selected Charlie Ward the recipient of the 1993 Heisman Trophy by an overwhelming margin, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That this body pause in its deliberations in order to honor Charlie Ward for outstanding accomplishments in his every field of endeavor and that, in recognition of those accomplishments and especially in recognition of the honor he has brought himself and his community in winning the 1993 Heisman Trophy, the Florida Senate, in company with his community, wishes to say "Way To Go, Charlie."

BE IT FURTHER RESOLVED that copies of this resolution be presented to Charlie Ward; to Bobby Bowden, Head Football Coach of Florida State University; and Bob Goin, Florida State University Athletic Director, as tangible tokens of the sentiments of the Florida Senate.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

On motion by Senator Kurth—

SR 2674—A resolution encouraging the teaching about the United Nations in Florida middle schools, high schools, and colleges and universities.

WHEREAS, the people of this state recognize that the world is increasingly interdependent and diverse, and

WHEREAS, it is increasingly important to prepare children for the challenges and opportunities presented by a global economy and by a new world order that is being forged in the aftermath of the cold war, and

WHEREAS, children and youth are best prepared for the future through education that fosters a global perspective and the necessary knowledge, skills, and understanding to be productive and successful citizens of our state, country, and world, and

WHEREAS, knowledge and understanding of the United Nations and its work throughout the world are valuable and important elements to the education of children and youth, and

WHEREAS, teaching about the United Nations in Florida schools is compatible with the existing social studies curriculum and offers an interdisciplinary framework for instruction in the schools, and

WHEREAS, thousands of middle-school, high-school, and college students in Florida over the past 20 years have organized and participated in the Model United Nations Program, which offers one of the most effective learning experiences in global education and United Nations education to our schools and students, and

WHEREAS, the United Nations Association of the USA (UNA-USA) and its chapters and division in Florida have championed and supported active participation of Florida teachers and students in the Model United Nations, and

WHEREAS, middle schools, high schools, and colleges and universities throughout Florida will have an active and central role in the forthcoming national and international celebration of the United Nations' 50th anniversary in 1995, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate encourages all middle schools, high schools, and colleges and universities to review their curricula and incorporate, where appropriate, units of study, coursework, and activities about the United Nations.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

On motion by Senator Scott, by two-thirds vote **SR 2792** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Scott—

SR 2792—A resolution honoring Harry L. Smith upon his retirement from the IBM Corporation in Boca Raton and his appointment as Executive Director of Hospice of Palm Beach County, Inc.

WHEREAS, Harry L. Smith has been employed since 1981 as Manager of State External Programs for the IBM Corporation in Boca Raton, Florida, and, in that capacity, was responsible for all phases of community and governmental relations, and

WHEREAS, Mr. Smith willingly donated his time to serve on the board of directors of numerous state, county, and community organizations, including the American Electronics Association, the Business Development Board of Palm Beach County, Florida Taxwatch, Hospice of Palm Beach County, the National Conference of Christians and Jews, the South Florida Coordinating Council, Nova University, and Sterling Savings Bank, and

WHEREAS, his significant and lasting achievements have contributed directly to the accomplishments of these organizations and have enhanced the quality of life enjoyed in Palm Beach County and Broward County by all residents and many visitors to Florida's Gold Coast, and

WHEREAS, Mr. Smith has displayed a sincere interest by offering his many talents, knowledge, and energy in service to business and to the local community, and

WHEREAS, Mr. Smith's talents and professional abilities resulted in his appointment, on August 1, 1992, as Executive Director of Hospice of Palm Beach County, Inc., where he has ably served on the board of directors and the executive committee for many years, and

WHEREAS, Mr. Smith's expertise in educational issues also will be fully used in the areas of educational television programming, resulting in an informed and enlightened viewing audience of over 600,000 households in the West Palm Beach television market, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes Mr. Harry L. Smith upon his retirement from the IBM Corporation in Boca Raton and his appointment as the Executive Director of Hospice of Palm Beach County, Inc., and commends him for his many laudable accomplishments as a volunteer for worthy organizations.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Mr. Harry L. Smith as a tangible token of the sentiments of the Florida Senate.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

MOTIONS RELATING TO COMMITTEE REFERENCE

SENATOR FOLEY PRESIDING

On motions by Senator Kirkpatrick, by two-thirds vote **CS for SB's 162 and 1558** and **CS for SB 2180** were withdrawn from the Committee on Community Affairs; **Senate Bills 1450 and 2188** were withdrawn from the Committee on Judiciary; **CS for SB 1880 and SB 2658** were withdrawn from the Committee on Governmental Operations; **CS for SB 1914** was withdrawn from the Committee on Health Care; **CS for SB's 2878 and 2358**, **CS for CS for SB 2220, SB 3062, CS for SB 2570 and CS for SB 2628** were withdrawn from the Committee on Rules and Calendar; and **CS for SB 2918** was withdrawn from the Committee on International Trade, Economic Development and Tourism.

On motion by Senator Kirkpatrick, by two-thirds vote **CS for CS for SB 2220** was recommitted to the Committee on Rules and Calendar.

On motions by Senator Jenne, by two-thirds vote **CS for SB 362** was removed from the Special Order Calendar and referred to the Committee on Appropriations.

On motions by Senator Kirkpatrick, by two-thirds vote **CS for SB's 2152 and 2154, CS for SB 1442, CS for SB 2546, CS for SB 2526 and CS for HB 1257** were withdrawn from the Committee on Governmental Operations; and **CS for SB 2784** was withdrawn from the Committee on Health and Rehabilitative Services.

On motions by Senator Wexler, by two-thirds vote **CS for SB 2132** was withdrawn from the Committee on Appropriations and referred to the Committees on Finance, Taxation and Claims; and Appropriations.

On motions by Senator Jenne, by two-thirds vote **CS for SB's 136 and 1716, SB 398, CS for SB 426, CS for SB 682, CS for SB 1024, SB 1248, CS for SB 1320, SB 1372, CS for SB 1756, SB 1772, CS for CS for SB 1858, CS for SB 1892, CS for SB 1936, CS for SB 2042, CS for SB 2064, Senate Bills 2120 and 2228, CS for CS for SB 2420, CS for SB 2524, CS for SB 2536, CS for SB 2602, CS for SB 2654, CS for SB 2668 and CS for SB 3056** were withdrawn from the Committee on Appropriations.

COMMITTEE MEETING CHANGE

On motions by Senator Kirkpatrick, the rules were waived and the Committee on Rules and Calendar was granted permission to add **CS for SB 1346** and **SM 154** to the agenda at the meeting April 5.

On motions by Senator Wexler, the rules were waived and the Committee on Finance, Taxation and Claims was granted permission to add **CS for SB 1616** and **CS for SB 2132** to the agenda at the meeting April 5.

MOTIONS

On motions by Senator Kirkpatrick, the rules were waived and by two-thirds vote **CS for CS for SB 1824** was placed on the Special Order Calendar to be considered at 3:00 p.m. Tuesday, April 5.

On motions by Senator Kirkpatrick, the rules were waived and by two-thirds vote **CS for CS for SJR's 2, 4 and 416** was placed on the Special Order Calendar to be considered following **SB 2730**.

LOCAL BILLS

SB 2942—A bill to be entitled An act relating to the Jacksonville Port Authority; amending s. 1 of chapter 63-1447, Laws of Florida, as amended, so as to clarify legislative intent that the Authority was and is created as a political subdivision of the State of Florida in the nature of a county and not a municipality; providing an effective date.

—was read the second time by title. On motion by Senator Bankhead, by two-thirds vote **SB 2942** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 2948—A bill to be entitled An act relating to the North Port Water Control District; providing for the dissolution of the water control district; providing for the transfer of the property, assets, rights, responsibilities, and obligations thereof to the North Port Road and Drainage District; providing that the road and drainage district is to replace the water control district as a party to contracts of the water control district; specifying conditions precedent for the dissolution of the water control district; specifying a date for the transfer of the powers and responsibilities of the water control district, subject to the satisfaction of the conditions precedent; providing for a referendum; providing effective dates.

—was read the second time by title. On motion by Senator Boczar, by two-thirds vote **SB 2948** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 3040—A bill to be entitled An act relating to the Englewood Water District in Charlotte and Sarasota Counties; amending sections 2(e), (f), 3(A), 4(c), 5, 10, 14(a), (d), (f), (i), and 22, ch. 59-931, Laws of Florida, as amended; repealing s. 4(d), ch. 59-931, Laws of Florida, as amended, and s. 8, ch. 91-357, Laws of Florida; eliminating the district's ability to issue general obligation bonds to be paid for by ad valorem taxes and eliminating the district's right to levy and assess up to 2 mills of ad valorem taxes per year; providing for a reduction in the number of members of the district board of supervisors from nine members to five members, each of whom resides in a different board of supervisors election district, who shall be elected by the qualified electors of the district for staggered terms of 4 years each; providing for five Englewood Water District supervisor election districts to be created along county precinct lines as determined by a majority vote of the district board of supervisors every 10 years, after publication of notice of public hearing and public hearing; extending the amortization period of assessment bonds from 12 years to 30 years; changing the 6 percent interest cap on assessments to a rate equal to the U.S. Prime Rate plus 3 percent; authorizing the district to use any method of apportionment of assessments as long as the methodology meets the "fair apportionment" standard, instead of a frontage basis only; authorizing the district to hold public hearings to impose assessments and impose assessments prior to construction of the proposed project; deleting obsolete provisions pertaining to the 1992 referendum vote; providing an effective date.

—was read the second time by title.

Senator Boczar moved the following amendment which was adopted:

Amendment 1 (with Title Amendment)—On page 2, line 10, strike everything after the enacting clause and insert:

Section 1. Subsections (e) and (f) of section 2 of chapter 59-931, Laws of Florida, are amended to read:

Section 2. As used in this act the following words and terms shall have the following meanings unless some other meaning is plainly intended:

(e) The term ~~terms~~ "revenue bonds" shall mean bonds or other obligations secured by and payable as to principal and interest from the revenues derived from rates, fees and charges collected by the district from the users of the facilities of the water system or sewer system, or both, and which may or may not be additionally secured by a pledge of the proceeds of special assessments levied against property benefiting from assessable improvements ~~and a pledge of the levy of ad valorem taxes without limit as to rate or amount on all taxable property in said district.~~

(f) The term "general obligation bonds" shall mean bonds or other obligations secured by the full faith and credit ~~and taxing power~~ of the district, payable from ~~ad valorem taxes levied and collected on all the taxable property in the district, without limitation of rate or amount, and which may be additionally secured by a pledge of water service charges and/or sewer service charges or by the pledge of the proceeds of special assessments levied against property benefited by the construction or acquisition or improvement of said water system or sewer system or both.~~

Section 2. Section 3 of chapter 59-931, Laws of Florida, as amended, is amended to read:

Section 3. (A) The district shall be governed and its affairs administered by the board of supervisors consisting of ~~five~~ ~~nine~~ ~~(9)~~ members.

(1)(a) By a majority vote, the Englewood Water District Board of Supervisors shall adopt a preliminary resolution dividing the district into five separate and distinct sections of approximately equal populations, drawn along Charlotte County and/or Sarasota County precinct lines, if feasible. These divisions shall be known as the "Englewood Water District Supervisor Election Districts" which shall be numbered one through five.

(b) After the initial adoption by the board of the proposed Englewood Water District Supervisor Election Districts, the district shall hold a public hearing at which all residents of the district or other interested parties shall have an opportunity to be heard concerning the proposed Englewood Water District Supervisor Election Districts, notice of such public hearing setting forth the five proposed Englewood Water District Supervisor Election Districts shall be given by one publication in a newspaper published in Charlotte County and in one publication

in a newspaper published in Sarasota County, or if no newspaper be published in either of said counties, then in a newspaper having general circulation in the district, and such notice shall also be posted in five public places in the district, at least 30 days prior to the date of such hearing, which may be adjourned from time to time.

(c) After such hearing, such preliminary resolution dividing the district into five separate and distinct sections, known as the Englewood Water District Supervisor Election Districts, either as initially adopted, or as modified or amended, shall be finally adopted. A map of the Englewood Water District Supervisor Election Districts shall be kept on file in the office of the administrator of the district and shall be open to public inspection during normal business hours.

(d) The Englewood Water District Supervisor Election Districts shall be revised every 10 years in the same manner as they were originally established as hereinabove established.

(1)—An annual election shall be held in the district on the first (1st) Tuesday after the first (1st) Monday in November of each year. At each annual election, ~~three (3) supervisors shall be elected for terms of three (3) years. All such terms of office shall commence on the first (1st) day of January following the annual election and the results of the annual election have been duly canvassed and the result of the annual election declared by resolution adopted by the board. Each supervisor shall duly file his oath of office and a bond in such amount as the board shall determine for the faithful performance of his duties prior to taking office, and the cost thereof shall be paid by the district.~~

(2)(a) The transition from nine to five members shall be implemented as follows:

1. On the first Tuesday after the first Monday of November 1994, a person residing in Englewood Water District Board of Supervisors Election District 5 shall be elected by the qualified electors of the Englewood Water District for a 4-year term to create and fill Englewood Water District Supervisor Election District Seat five. On the first day of January following the election, the expiring seats, four and six shall be eliminated.

2. On the first Tuesday after the first Monday of November 1995, a person residing in Englewood Water District Board of Supervisors Election District 4 shall be elected by the qualified electors of the Englewood Water District for a term of 3 years to create and fill Englewood Water District Supervisor Election District Seat four. On the first day of January following the election, the expiring seats, seven, eight, and nine shall be eliminated.

3. On the first Tuesday after the first Monday of November 1996, a person residing in each of the Englewood Water District Board of Supervisors Election Districts 3, 2, and 1 shall be elected by the qualified electors of the Englewood Water District for a term of 4 years to create and fill Englewood Water District Supervisor Election District Seats three, two, and one, respectively.

(b) On the first Tuesday after the first Monday in November 1998, and every 4th year thereafter, two supervisors, one residing in Englewood Water District Board of Supervisors Election District 5 and one residing in Englewood Water District Board of Supervisors Election District 4, shall be elected by the qualified electors of the Englewood Water District for a term of 4 years.

(c) On the first Tuesday after the first Monday in November 2000, and every 4th year thereafter, three supervisors, one residing in Englewood Water District Board of Supervisors Election District 3, one residing in Englewood Water District Board of Supervisors Election District 2, and one residing in Englewood Water District Board of Supervisors Election District 1, shall be elected by the qualified electors of the Englewood Water District for a term of 4 years.

(d) All such terms of office shall commence on the first day of January following the election and the results of such election have been duly canvassed and the result of such election declared by resolution adopted by the board. Each supervisor shall duly file his oath of office and a bond in such amount as the board shall determine for the faithful performance of his duties prior to taking office, and the cost thereof shall be paid by the district.

(3)(2) In the event no person has been elected at an annual election to fill an office which was required to be filled at such annual election, the members of the board on January 1st following said annual election, or

within thirty (30) days thereafter, shall, by a majority vote of all members then in office, appoint a person *from the appropriate Englewood Water District Supervisor Election District*, to serve for each office not otherwise filled by the said ~~annual~~ election, to serve until January 1st following the next ~~annual~~ election, at which ~~annual~~ election the qualified electors of the district shall elect a supervisor to serve the remaining unexpired term, if any, of each such supervisor so appointed.

(4)(3) In the event any supervisor shall resign, die, remove from the district, or the office of such supervisor shall for any reason become vacant, the remaining members of the board may, by a majority vote of all members then in office, appoint a successor to such supervisor, *from the appropriate Englewood Water District Supervisor Election District*, to serve until the next ~~annual~~ election, at which ~~annual~~ election the qualified electors of the district shall elect a *person, from the appropriate Englewood Water District Supervisor Election District*, ~~supervisor~~ to serve for the remaining unexpired term, if any, of the supervisor whose office became vacant as aforesaid.

(5)(4) A notice of the ~~annual~~ election shall be published at least once at least fourteen (14) days prior thereto in a newspaper published in Charlotte County and in a newspaper published in Sarasota County, or, if no newspaper be published in one of said counties, then in a newspaper published in the other county; or, if no newspaper be published in either of said counties, then in a newspaper of general circulation in the district, and such notice shall also be posted during the fourteen (14) day period in five (5) public places in the district.

(6)(5) All elections under this act shall be nonpartisan.

(7)(6)(a) Elections for the purpose of electing supervisors to the board shall conform to the Florida Election Code, chapters 97 through 106, Florida Statutes, as pertains to independent special districts as set forth in section 189.405, Florida Statutes.

(b) The results of the ~~annual~~ election shall be jointly canvassed by the county canvassing boards of the Counties of Charlotte and Sarasota, and the results of such joint canvas shall be reported in accordance with general law.

(8)(7) Supervisors shall be qualified electors, *from the appropriate Englewood Water District Supervisor Election District*, who are freeholders residing in the district, and the office of any supervisor who shall cease to be a qualified elector and freeholder in the district during his term of office shall become vacant.

(B) The board shall be vested with all administrative power and authority of the district and shall have and exercise all powers conferred upon such district by the terms of this act. Said board members shall receive compensation for their services in the amount of \$1,000 each, annually, payable in such installments during each year of a member's term as the board shall from time to time determine. Said board members shall also be reimbursed for monies expended in the performance of their official duties. The organization and conduct of the board's affairs shall be as follows:

(1) The chairman *and*, vice chairman, ~~secretary, and treasurer~~ of the board shall be elected at the annual meeting to be held in January of each year and shall serve in said capacities until the next annual meeting; however, said officers may be removed at any time during their tenure, with or without cause, by a majority vote of all members of said board. Upon the expiration of the terms of office of any of said officers for any reason whatsoever, the board shall elect new officers to fill the positions thus vacated. ~~The treasurer may be paid such compensation as the board deems proper.~~

(2) The board shall hold such meetings as the business affairs of the district may require, and all such meetings shall be open to the public as provided by law. Such meetings shall be held within the territorial limits of the district, or may be held outside the district in conjunction with other boards, commissions, agencies, bodies, or persons for the purpose of holding discussions or for the exchange of information. However, no formal action may be taken by the passage of any resolution, rule, or order at meetings held outside the district other than that action which is required for the ordinary conduct of such meetings.

(3) A majority of the board shall constitute a quorum at any meeting thereof and all actions of the board shall be upon a vote of the majority of board members present at any such meeting; provided, however, that any resolution authorizing the issuance of bonds or other obligations, ~~or~~

~~the levy of ad valorem taxes~~ or special assessments or the fixing of rates and charges for the services and facilities of said water system or sewer system shall not be adopted except upon the affirmative vote of a majority of all the members of the board then in office. Actions of the board shall be evidenced by resolutions voted upon and adopted by the board, which may be finally adopted at the same meeting at which they are introduced and need not be published or posted.

(4) Written minutes of each board meeting shall be kept, and there shall be recorded therein a report of all that transpired at any such meeting. The minutes shall be signed by the *vice chairman* ~~secretary~~ of the board and kept permanently in books provided for that purpose.

(5) The board shall cause to be kept complete and accurate books of accounting in standard bookkeeping and accounting procedures. Annually, the board shall make a true and complete accounting of all ~~moneys~~ monies received and expended by said board, and said accounting shall list the assets and liabilities of the district. Said accounting shall be based upon an audit prepared by a certified public accountant and shall be in writing with sufficient copies thereof made to furnish to any inhabitants of the district requesting the same.

(6) All contracts of the district shall be signed by the chairman of the board of supervisors ~~or, in his absence, the vice chairman~~, and the seal of the board shall be affixed thereto, attested by the *vice chairman* ~~secretary~~, who shall be the official custodian of such seal. The board, by resolution, may delegate authority to sign contracts to the administrator. Any bonds issued by the district under the provisions of this act shall be signed in the same manner as a contract; provided, however, that only one (1) manual signature shall be required on any bonds and the seal of the district may be imprinted or reproduced thereon.

(7) Every board member and every officer of the district shall be indemnified by the district against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon the member or officer in connection with any proceeding or any settlement of any proceeding to which he may be a party or in which he may become involved by reason of his being or having been a board member or officer of the district, whether or not he is a board member or officer at the time such expenses are incurred. In the event of a settlement, the indemnification shall apply only if the board has approved such settlement and reimbursement as being for the best interests of the district. The right of indemnification authorized by this paragraph shall be in addition to and not exclusive of all other rights to which a board member or officer may be entitled. This paragraph shall not apply to a board member or officer who is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties.

(8) The board may, by the vote of a majority of all members, elect a member to serve as chairman, *or vice chairman*, ~~or secretary~~ on an interim basis during the absence of such officer. The interim officer shall have all of the powers, duties, and authority of such officer during the absence.

Section 3. Subsections (c) and (d) of section 4 of chapter 59-931, Laws of Florida, as amended, are amended to read:

Section 4. The district by and through the board, is hereby authorized and empowered:

(c) To construct, install, erect, acquire and operate, maintain, improve, extend, or enlarge and reconstruct a water system or a sewer system or both within or without said district for the furnishing of water service or sewer service or both services to the inhabitants of the district, and to have the exclusive control and jurisdiction thereof; to issue its general obligation bonds, revenue bonds, assessment bonds, or other obligations, or any combination thereof to pay all or part of the cost of such construction, reconstruction, erection, acquisition or installation of such water system, sewer system or both provided that the total amount of all general obligation ~~indebtedness~~ bonds of the district issued pursuant to this act, for which the full faith and credit ~~and taxing power~~ of the district is pledged, shall not exceed the aggregate principal amount of \$12 million dollars or fifteen percent (15%) of the assessed valuation of the taxable property of the district, whichever may be the ~~lesser~~ *lesser* of the two, said assessed valuation to be ascertained by the last preceding valuation for county taxes.

(d) ~~To levy and assess ad valorem taxes up to a maximum of 2 mills on all taxable property within said district for the purpose of paying principal of and interest on any general obligation bonds which may be issued~~

~~pursuant to this act, and to pay the cost of operation and maintenance of such water system or sewer system and administrative expenses of the district, within the limitations and restrictions hereinafter provided; however, the authority to levy and assess ad valorem taxes as specified in this paragraph expires on January 1, 1993, unless at a referendum election held as part of the 1992 general election, as specified in section 8 of this act the qualified voters of the district shall continue that authority.~~

Section 4. Section 5 of chapter 59-931, Laws of Florida, as amended, is amended to read:

Section 5. The board for and on behalf of the district is authorized to provide from time to time for the issuance of revenue bonds to pay all or part of the cost of a water system or sewer system, or both. The principal of and interest on any such bonds shall be payable from the rates, fees, charges, or other revenues derived from the operation of any such system or systems in the manner provided in this act and the resolution authorizing such bonds and pledging such revenues, except that the full faith and credit of the district ~~and ad valorem taxes~~ and proceeds of special assessments levied as provided in this act may be pledged as additional security for said revenue bonds. The bonds of each issue shall be dated, shall bear interest at a rate or rates not exceeding the maximum rate authorized by general law, shall mature at such time or times not exceeding forty (40) years from their date or dates as may be determined by the board and may be made redeemable before maturity, at such prices and under such terms and conditions as may be fixed by the board prior to the issuance of the bonds. The board shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the state. Such authorizing resolution may further provide that such bonds may either be manually executed or executed by the engraved, lithographed, or facsimile signature of the chairman of the board of supervisors. The seal of the district may be impressed, lithographed, engraved, or otherwise reproduced in facsimile on such bonds and shall be attested by the manual or facsimile signature of the ~~vice chairman secretary~~ of the board. The signature of at least one of the officers required to execute said bonds shall be manually affixed thereto. In case any officer whose signature or a facsimile of whose signature shall appear on the bonds shall cease to be such officer before the delivery of such bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. All revenue bonds issued under the provisions of this act shall be, and have all the qualities and incidents of, negotiable instruments under the law merchant and the negotiable instruments law of the state. The bonds may be issued in coupon or registered form, or both, as the board may determine in such authorizing resolution and provision may be made for the registration of any coupon bonds as to principal alone and also as to principal and interest, and for the reconversion of coupon bonds or of any bond registered as to principal and interest. The issuance of such bonds shall not be subject to any limitations or conditions contained in any other law; the board may sell such bonds in such manner, either at public or private sale, and for such price, as it may determine to be for the best interests of the district, but no such sale shall be made at a price so low as to require the payment of interest on money received therefor at a rate in excess of the maximum rate authorized by general law, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, excluding, however, from such computation the amount of any premium to be paid for the redemption of any bonds prior to maturity.

The proceeds of the sale of any such bonds shall be used solely for the payment of the costs of the construction or acquisition of water system or sewer system or both or the cost of the reconstruction, extension and improvement thereof, and shall be disbursed in such manner and under such restrictions as the board may provide in the authorizing resolution. Prior to the preparation or issuance of definitive bonds, the board may, under like restrictions, issue interim receipts or temporary notes or other form of such temporary obligations without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The board may also provide for the replacement of any bonds which shall become mutilated and be destroyed or lost upon proper indemnification. Revenue bonds may be issued under the provisions of this act without obtaining the consent of any commission, board, bureau or agency of the state, and without any other proceeding or happening of any other condition or thing than those proceedings, conditions or things which are specifically required by this act; provided, however, that if the approval at an election by the freeholders who are qualified

electors of the district shall be required by the constitution of the state, such an election shall be called, noticed and conducted, and the results thereof determined and declared as shall have been or may be required by law for the issuance of general obligation bonds of the district; but if an election be not required by the constitution such an election may nevertheless be called, noticed and conducted, and the results thereof determined and declared in such manner as the board may provide by resolution.

A resolution providing for the issuance of revenue bonds may also contain such limitations upon the issuance of additional revenue bonds secured on a parity with the bonds theretofore issued, as the board may deem proper, and such additional bonds shall be issued under such restrictions and limitations as may be prescribed by such authorizing resolution.

Revenue bonds may be issued under the provisions of this act without regard to any limitations of indebtedness prescribed by law and shall not be included in the amount of bonds which the district may be authorized to issue under any other provisions of this act.

Section 5. The third unnumbered paragraph of section 7 of chapter 59-931, Laws of Florida, is amended to read:

Section 7. No rates, fees, or charges shall be fixed under the foregoing provisions of this section until a public hearing at which all the users of the proposed sewer system or water system or both, or owners, tenants or occupants served or to be served thereby and all others interested shall have an opportunity to be heard concerning the proposed rates, fees, and charges. After the initial adoption by the board of the resolution authorizing the issuance of revenue bonds and setting forth the preliminary schedule or schedules fixing and classifying such rates, fees, and charges, notice of such public hearing setting forth the proposed schedule or schedules of rates, fees, and charges shall be given by one publication in a newspaper published in Charlotte County and in a newspaper published in Sarasota County, or if no newspaper be published in either of said counties, then in a newspaper published in the other county; or, if no newspaper be published in either of said counties then in a newspaper having general circulation in the district, and such notice shall also be posted in five (5) public places in the district, at least ten (10) days prior to the date of such hearing, which may be adjourned from time to time. After such hearing, such preliminary schedule or schedules, either as initially adopted, or as modified or amended, may be finally adopted and thereupon the resolution providing for the issuance of revenue bonds may be finally adopted. A copy of the schedule or schedules of such rates, fees, or charges finally fixed in such resolution shall be kept on file in the office of the ~~vice chairman secretary~~ of the district and shall be open at all times to public inspection. The rates, fees, or charges so fixed for any class of users or property served shall be extended to cover any additional properties thereafter served which shall fall in the same class, without the necessity of any hearing or notice. Any change or revision of such rates, fees, or charges may be made in the same manner as such rates, fees, or charges were originally established as hereinabove provided; provided, however, that if such changes or revisions be made substantially pro rata as to all classes of service no hearing or notice shall be required.

Section 6. Section 10 of chapter 59-931, Laws of Florida, is amended to read:

Section 10. The district is hereby authorized to provide by resolution from time to time for the issuance of general obligation bonds pledging the full faith and credit of the district for the payment thereof, for the purpose of paying all or part of the cost of the acquisition or construction of a water system or sewer system or both; provided, however, that the issuance of such general obligation bonds shall have been approved at an election of the qualified electors who are freeholders residing in said district, such election to be called, noticed and conducted in the manner provided in general laws of the State of Florida for the holding of freeholder elections. For the payment of the principal of and the interest on any general obligation bonds of the district issued under the provisions of this act, the board is hereby authorized and required and in such resolution authorizing the issuance of general obligation bonds shall authorize and require the ~~levy annually of a special tax upon all taxable property within the district over and above all other taxes authorized or permitted by law sufficient to pay such principal and interest as the same shall become due and payable and the proceeds of all such taxes, when collected, shall be paid into a special fund and used for no other purposes than the payment of such principal and interest; provided, however, that there may be pledged for the payment of such principal and interest the~~

proceeds of such rates, fees, and charges made for the services and facilities of any such water system or sewer system, or a combination thereof, to pay such principal and interest, or the proceeds of special assessments levied to finance the cost thereof. In the event of such pledge or pledges the board may provide in the resolution authorizing such general obligation bonds as to the time, amount, and manner of the levy of ad valorem taxes for the payment of debt service over the amount of revenues and special assessments available therefor.

Section 7. Subsections (a), (b), (c), (d), (e), (f), (g), (h), and (i) of section 14 of chapter 59-931, Laws of Florida, as amended, are amended to read:

Section 14. (a) The district may provide for the levy of special assessments under this act of the lands and real estate benefited by the construction of said water system or sewer system, or extensions or improvements thereof, or any part thereof, for all or any part of the cost thereof. *The district may use any assessment apportionment methodology that meets the "fair apportionment" standards.* The initial proceeding hereunder shall be the passage by the board of a resolution ordering the construction of such improvements, indicating the location by terminal points and routes and either giving a description of the improvements by material, nature, character, and size or giving two (2) or more descriptions with the directions that the material, nature, character, and size shall be subsequently determined in conformity with one (1) of such descriptions. Sewer or water improvements need not be continuous and may be in more than one (1) locality or street. The resolution ordering any such improvements may give any short and convenient designation to each improvement ordered thereby, and the property against which special assessments are to be made for the cost of such improvement shall be designated as a sub-district, followed by a letter or number or name to distinguish it from other sub-districts, after which it shall be sufficient to refer to such improvement and property by such designation in all proceedings and special assessments, except in the notices required by this section.

(b) As soon as may be possible after the passage of such resolution the engineer for the district shall prepare in duplicate plans and specifications for each improvement ordered thereby and an estimate of the cost thereof. Such costs shall include, in addition to the items of cost as defined in this act, the cost of relaying streets and sidewalks necessarily torn up or damaged and the following items of incidental expenses:

- (1) Printing and publishing notices and proceedings;
- (2) Costs of abstracts of title; and

(3) Any other expenses necessary or proper in conducting the proceedings and work provided for in this section. If the resolution shall provide alternative descriptions of material, nature, character, and size, such estimate shall include an estimate of the cost of the improvement of each such description.

The engineer shall also prepare in duplicate a tentative apportionment of the estimated total cost of the improvement as between the district and each lot or parcel of land subject to special assessments under the resolution, such apportionment to be made in accordance with the provisions of the resolution and in relation to apportionment of cost in the preliminary assessment roll. Such tentative apportionment of total estimated cost shall not be held to limit or restrict the duties of the engineer in the preparation of such preliminary assessment roll. One of the duplicates of such plans, specifications, and estimates and such tentative apportionment shall be filed with the *vice chairman secretary* of the board and the other duplicate shall be retained by the engineers in his files, all thereof to remain open to public inspection.

(c) The *vice chairman secretary* of the board upon the filing with him of such plans, specifications, estimates, and tentative apportionment of cost shall publish once in a newspaper published in each of the counties of Charlotte and Sarasota a notice stating that at a regular meeting of the board on a certain day and hour, not earlier than fifteen (15) days from such publication, the board will hear objections of all interested persons to the confirmation of such resolution, which notice shall state in brief and general terms a description of the proposed improvements with the location thereof, and shall also state that plans, specifications, estimates, and tentative apportionment of cost thereof are on file with the *vice chairman secretary* of the board. If no newspaper be published in either of said counties, then such notice shall be published in a newspaper published in the other county, and if no newspaper be published in either county, then in a newspaper of general circulation in said district. The

vice chairman secretary of the board shall keep a record in which shall be inscribed, at the request of any person, firm, or corporation having or claiming to have any interest in any lot or parcel of land, the name and post office address of such person, firm, or corporation, together with a brief description or designation of such lot or parcel, and it shall be the duty of the *vice chairman secretary* of the board to mail a copy of such notice to such person, firm, or corporation at such address, at least ten (10) days before the time for the hearing as stated in such notice, but the failure of the *vice chairman secretary* of the board to keep such record or so to inscribe any name or address or to mail any such notice shall not constitute a valid objection to holding the hearing as provided in this section or to any other action taken under the authority of this section.

(d) At the time named in such notice, or to which an adjournment may be taken by the board, the board shall receive any objections of interested persons and may then or thereafter repeal or confirm such resolution with such amendments, if any, as may be desired by the board and which do not cause any additional property to be specially assessed.

All objections to any such resolution on the ground that it contains items which cannot be properly assessed against property, or that it is, for any default or defect in the passage or character of the resolution of the plans or specifications or estimate, void or voidable in whole or in part, or that it exceeds the power of the board, shall be made in writing in person or by attorney, and filed with the *vice chairman secretary* of the board at or before the time or adjourned time of such hearing. Any objections against the making of such improvements not so made shall be considered as waived, and if any objection shall be made and overruled or shall not be sustained, the confirmation of the resolution shall be the final adjudication of the issues presented unless proper steps shall be taken in a court of competent jurisdiction to secure relief within twenty (20) days.

Whenever any resolution providing for the construction or reconstruction of water or sewer improvements and for the levying of special assessments upon benefited property for the payment thereof shall have been approved, as hereinabove provided, the board may issue bonds to anticipate the collection of the installments of said assessments payable out of such assessments when collected and bearing interest at the same rate as provided for the installments of such assessments. Said bonds shall be issued and be subject to call and retirement in the same manner as hereinabove provided for the issuance and retirement of revenue bonds; provided, however, that such bonds shall mature not later than ~~30~~ ^{twelve} (12) years after the date thereof and shall be payable solely from such special assessments; provided, however, that the board may pledge the full faith and credit of the district for the payment of the principal of and interest on said assessment bonds if the issuance thereof has been approved by the qualified electors who are freeholders residing in the district at an election duly called and held in the manner provided in the general laws of Florida relating to freeholder elections.

(e) As soon as practicable after the authorization of bonds under the provisions of this act or the appropriation of money for such purpose, the *vice chairman secretary* of the board shall publish once in a newspaper having general circulation in the district a notice calling for sealed bids to be received by the board on a date not earlier than fifteen (15) days from the first publication for the construction of the work, unless in the initial resolution the board shall have declared its intention to have the work done by district forces without contract. The notice shall refer in general terms to the extent and nature of the improvement or improvements and may identify the same by the short designation indicated in the initial resolution and by reference to the plans and specifications on file. If the initial resolution shall have given two (2) or more alternative descriptions of the improvements as to material, nature, character, and size, and if the board shall not have theretofore determined upon a definite description, the notice shall call for bids upon each of such descriptions. Bids may be requested for the work as a whole or for any part thereof separately and bids may be asked for any one (1) or more of such improvements authorized by the same or different resolutions, but any bid covering work upon more than one (1) improvement shall be in such form as to permit a separation of cost as to each improvement. The notice shall require bidders to file with their bids either a certified check drawn upon an incorporated bank or trust company for five percent (5%) of the amount of their respective bids, or a bid bond in like amount with a corporate surety satisfaction to the attorney for the board to insure the execution of a contract to carry out the work in accordance with such plans and specifications and insure the filing, at the making of such contract, of a bond in the amount of the contract price with corporate sureties sat-

isfactory to such attorney conditioned for the performance of the work in accordance with such contract. The board shall have the right to reject any or all bids, and if all bids are rejected the board may readvertise or may determine to do the work by district forces without contract.

(f) ~~Promptly after the completion of the work,~~ The engineer for the district shall prepare a preliminary assessment roll and file the same with the ~~vice chairman secretary~~ of the board which roll shall contain the following:

(1) *If the assessment is apportioned on a frontage basis*, a description of the lots and parcels of land within the district, which shall include the lots and parcels which abut upon the sides of that part of any road or street in which such improvement has been constructed or reconstructed, or which are accessible to such improvement. Such lots and parcels shall include the property of either of the counties of Charlotte or Sarasota and any school district or other political subdivision within either of such counties respectively. There shall also be given the name of the owner of record of each lot or parcel where practicable, and in all cases there shall be given a statement of the number of feet of property so abutting, which number of feet shall be known as the frontage.

(2) The total cost of the improvement and the amount of incidental expense.

(g) The preliminary roll shall be advisory only and shall be subject to the action of the board as hereinafter provided. Upon the filing with the ~~vice chairman secretary~~ of the preliminary assessment roll, the ~~vice chairman secretary~~ shall publish once in a newspaper having general circulation in the district a notice stating that at a meeting of the board to be held on a certain day and hour, not less than fifteen (15) days from the date of such publication, which meeting may be a regular, adjourned, or special meeting, all interested persons may appear and file written objections to the confirmation of such roll. Such notice shall state the class of the improvements and the location thereof by terminal points and route. Such meeting of the board shall be the first regular meeting following the expiration of fifteen (15) days after the publication of the notice hereinabove required, unless the board shall have provided for a special meeting for such purpose.

(h) At the time and place stated in such notice the board shall meet and receive the objections in writing of all interested persons as stated in such notice. The board may adjourn the hearing from time to time. After the completion of the hearing on said objections, if any, the board shall either annul or sustain or modify in whole or in part the prima facie assessment indicated on such roll, either by confirming the prima facie assessment against any or all lots or parcels described therein or by ~~canceled~~ ~~canceling~~, increasing or reducing the same, according to the special benefits which the board decides each such lot or parcel has received or will receive on account of such improvement. If any property which may be chargeable under this section shall have been omitted from the preliminary roll or if the prima facie assessment shall not have been made against it, the board may place on such roll an apportionment to such property.

The board shall not confirm any assessment in excess of the special benefits to the property assessed, and the assessments so confirmed shall be in proportion to the special benefits. Forthwith after such confirmation such assessment roll shall be delivered to the ~~vice chairman secretary~~. The assessment so made shall be final and conclusive as to each lot or parcel assessed unless proper steps be taken within thirty (30) days in a court of competent jurisdiction to secure relief. If the assessment against any property shall be sustained or reduced or abated by the court, the ~~vice chairman secretary~~ shall note that fact on the assessment roll opposite the description of the property affected thereby. The amount of the special assessment against any lot or parcel which may be abated by the court, unless the assessment upon the entire district be abated, or the amount by which such assessment is so reduced, may by resolution of the board be made chargeable against the district at large, or, at the discretion of the board, a new assessment roll may be prepared and confirmed in the manner hereinabove provided for the preparation and confirmation of the original assessment roll.

(i) Any assessment shall be paid at the office of the ~~vice chairman secretary~~ within sixty (60) days after the confirmation thereof, without interest. Thereafter all assessments shall be payable in equal installments, with interest at a rate equal to the U.S. Prime Rate plus 3 percent ~~six percent (6%)~~ per annum from the expiration of said sixty (60) days in each of the succeeding ten (10) calendar years; provided, however,

that the board may by resolution fix a shorter period of payment for any assessment; and provided further, that any assessment may be paid at any time before due, together with interest accrued thereon to the date of payment.

Section 8. Section 15 of chapter 59-931, Laws of Florida, is amended to read:

Section 15. The board shall cause to be made at least once each year a comprehensive report of its water system or sewer system or both, including all matters relating to rates, revenues, expenses of maintenance, repair and operation and renewals and capital replacements, principal and interest requirements and the status of all funds and accounts. Copies of such general report shall be filed with the ~~vice chairman secretary~~ and shall be open to public inspection.

Section 9. Section 21 of chapter 59-931, Laws of Florida, as amended, is amended to read:

Section 21. Except as otherwise provided in subsection (p) of section 4, all contracts let, awarded or entered into by the district for the construction, reconstruction, or acquisition of a water system or a sewer system or both or any part thereof, consistent with the provisions of section 14 of this act, shall be awarded only after public advertisement and call for sealed bids therefor, in a newspaper having general circulation in the district, such advertisement to be published at least once at least three (3) weeks before the date set for the receipt of such bonds. Such advertisement for bids, in addition to the other necessary and pertinent matter, shall state in general terms the nature and description of the improvement or improvements to be undertaken and shall state that detailed plans and specifications for such work are on file in the office of the ~~vice chairman secretary~~ or will be mailed upon request to interested parties. The award shall be made to the responsible and competent bidder or bidders who shall offer to undertake the improvements at the lowest cost to the district and such bidder or bidders shall be required to file bond for the full and faithful performance of such work and the execution of any such contract in such amount as the board shall determine, and in all other respects the letting of such construction contracts shall comply with applicable provisions of the general laws relating to the letting of public contracts. Nothing in this section shall be deemed to prevent the district from hiring or retaining such consulting engineers, attorneys, financial advisors or fiscal agents, or other technicians as it shall determine, in its discretion, or for undertaking any construction work with its own resources and without any such public advertisement.

Section 10. Section 22 of chapter 59-931, Laws of Florida, is repealed.

Section 11. Section 8 of chapter 91-357, Laws of Florida, is repealed.

Section 12. There is hereby added to the area of the Englewood Water District heretofore created, the following described area of Sarasota County, said area being more particularly described as follows:

That portion of Section 3, Township 40 South, Range 19 East, lying west of S.R. 776 (Englewood Road), and those portions of sections 4 and 5, Township 40 South, Range 19 East, lying and being east of the west boundary of Lemon Bay, all being in Sarasota County, Florida.

Section 13. This act shall take effect upon becoming a law, except that section 12 of this act shall take effect only upon an affirmative majority vote of the electors of Englewood Water District and an affirmative majority vote of the electors in the area described in Section 12 of this act, voting in referenda to be called and held by the Englewood Water District at the general election in November 1994. The costs of such referenda shall be borne by the Englewood Water District.

And the title is amended as follows:

In title, on pages 1 and 2, strike everything before the enacting clause and insert: A bill to be entitled An act relating to the Englewood Water District in Charlotte and Sarasota Counties; amending sections 2, 3, 4, 5, 7, 10, 14, 15, and 21, ch. 59-931, Laws of Florida, as amended; repealing ss. 8 and 22, ch. 91-357, Laws of Florida; eliminating the positions of secretary and treasurer; revising powers and duties of the vice chairman; eliminating the district's ability to issue general obligation bonds to be paid for by ad valorem taxes and eliminating the district's right to levy and assess up to 2 mills of ad valorem taxes per year; providing for a reduction in the number of members of the district board of supervisors from nine members to five members, each of whom resides in a different board of supervisors election district, who shall be elected by the qualified electors of the district for staggered terms of 4 years each; providing

for five Englewood Water District supervisor election districts to be created along county precinct lines as determined by a majority vote of the district board of supervisors every 10 years, after publication of notice of public hearing and public hearing; extending the amortization period of assessment bonds from 12 years to 30 years; changing the 6 percent interest cap on assessments to a rate equal to the U.S. Prime Rate plus 3 percent; authorizing the district to use any method of apportionment of assessments as long as the methodology meets the "fair apportionment" standard, instead of a frontage basis only; authorizing the district to hold public hearings to impose assessments and impose assessments prior to construction of the proposed project; deleting obsolete provisions pertaining to the 1992 referendum vote; adding territory to the district subject to approval by referendum; providing an effective date.

On motion by Senator Boczar, by two-thirds vote **SB 3040** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 3062—A bill to be entitled An act relating to comprehensive planning; providing for a steering committee that will establish a visioning process for southeast Florida; providing for membership; providing for staff; providing for public opinion research; providing for a report; providing for termination of the committee; providing an effective date.

—was read the second time by title. On motion by Senator Jenne, by two-thirds vote **SB 3062** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 3068—A bill to be entitled An act relating to the Children's Services Council of Martin County; exempting the council from the provisions of part III of chapter 163, F.S., relating to the payment of fees, taxes, or increment revenue to community redevelopment agencies; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote **SB 3068** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 3072—A bill to be entitled An act relating to the Children's Services Council of St. Lucie County; exempting the council from the provisions of part III of chapter 163, F.S., relating to payment of fees, taxes, or increment revenue to community redevelopment agencies; providing an effective date.

—was read the second time by title. On motion by Senator Kurth, by two-thirds vote **SB 3072** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 3074—A bill to be entitled An act relating to Brevard County; limiting the amount of distribution differential surcharge a water utility may charge consumers outside municipal boundaries; requiring a rate study for increases in excess of the limit; providing an effective date.

—was read the second time by title. On motion by Senator Grogan, by two-thirds vote **SB 3074** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 3112—A bill to be entitled An act relating to the Merritt Island Library District, Brevard County; amending s. 4, ch. 65-1289, Laws of Florida, as amended; requiring the annual budget meeting of the library district board, and any rehearing of a public meeting on the district budget, to be held on a date that does not conflict with general law; amending s. 9, ch. 65-1289, Laws of Florida; requiring the chairman of the library district board to give bond and increasing the amount of bond

required of the treasurer; allowing the chairman to sign district checks in lieu of the treasurer; providing for construction of the act; providing an effective date.

—was read the second time by title. On motion by Senator Grogan, by two-thirds vote **SB 3112** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 3114—A bill to be entitled An act relating to the City of Jacksonville Beach; amending section 8, "Vested Termination of Membership," of chapter 27643, Laws of Florida, 1951, as amended, being the Employees' Retirement System of the City of Jacksonville Beach, to make changes recommended by the Board of Trustees of the retirement system and the City Council, so as to provide death benefits to survivors of former vested members; providing an effective date.

—was read the second time by title. On motion by Senator Bankhead, by two-thirds vote **SB 3114** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

On motions by Senator Bankhead, by two-thirds vote—

HB 1041—A bill to be entitled An act relating to the City of Jacksonville Beach; amending section 8, "Vested Termination of Membership," of chapter 27643, Laws of Florida, 1951, as amended, being the Employees' Retirement System of the City of Jacksonville Beach, to make changes recommended by the Board of Trustees of the retirement system and the City Council, so as to provide death benefits to survivors of former vested members; providing an effective date.

—was read the second time by title and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 3116—A bill to be entitled An act relating to Lake County; ratifying the merging of the Northwest Lake County Hospital District and the Northeast Lake County Hospital District pursuant to ss. 189.402 and 189.404, F.S., into an independent special district to be known as the North Lake County District; creating a board of trustees of the district; providing the qualifications and duties of the members of the board; providing the method for election of the board; authorizing the board to provide funding to hospitals which provide indigent health care; requiring the board to levy a tax to fund such services; providing procedures for the tax levy; requiring an annual financial report and audit from the medical provider receiving the tax funds; authorizing the board to expend its funds for the district; requiring the board to periodically file financial statements of the district; authorizing the board to accept certain funds; providing an effective date.

—was read the second time by title. On motion by Senator Johnson, by two-thirds vote **SB 3116** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 3124—A bill to be entitled An act relating to Broward County; amending the election procedure for the Indian Trace Community Development District; providing for the election of supervisors to coincide with the general election; providing for the election of supervisors to staggered terms in the 1995 and 1997 elections and for 4-year terms in all subsequent elections; providing for the election of supervisors to designated groups; providing an effective date.

—was read the second time by title. On motion by Senator Meadows, by two-thirds vote **SB 3124** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 3126—A bill to be entitled An act relating to Marion County; creating the Cold Springs Improvement District; providing district boundaries; prescribing the purposes, powers, privileges, duties, liability, and officials; providing applicability of the provisions of ch. 189, F.S., to said district; providing for the appointment of the first governing board and the election of its future members; defining terms of office; prescribing duties, powers, and qualifications, and fixing compensation; providing for the annual landowner's meeting; providing for the levies of non-ad valorem assessments and ad valorem taxes upon the lands in said district and for the collection and enforcement thereof; providing that ad valorem taxes shall be a lien on lands in the district and providing for the collection and enforcement of district taxes at the same time and in the like manner as county taxes; providing that said taxes shall be extended by the county property appraiser on the county tax roll and shall be collected by the tax collector in the same manner and time as county taxes; providing for the same discounts and penalties as county taxes and providing for the compensation of the county property appraiser and tax collector; providing for the levy, collection and enforcement of non-ad valorem assessments pursuant to s. 197.3632, F.S.; providing non-ad valorem assessments shall be a lien on lands in the district; providing for the levy of a uniform acreage tax on lands in said district to be used for paying expenses in organizing said district; authorizing said district to borrow money and issue negotiable or nonnegotiable notes, bonds, and other evidences of indebtedness in order to better carry out the provisions of this act; providing for administrative unit designation; providing for reports; providing for interlocal cooperation; providing for expansion, merger, contraction, and dissolution; providing severability; providing for precedence over conflicting laws; providing an effective date.

—was read the second time by title.

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 1 (with Title Amendment)—Strike everything after the enacting clause and insert:

Section 1. District creation and boundaries.—For the purposes of efficient and economical provision of physical infrastructure and social, environmental, and emergency services within Marion County and for the purposes of furthering the goals and objectives of the adopted Comprehensive Plan of Marion County, Florida, and for the public convenience, welfare, utility, and benefit, and for the other purposes stated in this act, an independent special taxing district is hereby created and established in Marion County, Florida, to be known as the Cold Springs Improvement District, the territorial boundaries of which shall be as follows:

PARCEL A

N 1/2 of Section 3, Township 16 South, Range 18 East;

AND: SW 1/4 and NE 1/4 of Section 6, Township 16 South, Range 18 East;

EXCEPT: East 760.11 feet of the North 555 feet thereof;

AND: N 3/4 and SE 1/4 of SE 1/4 of Section 7, Township 16 South, Range 18 East;

EXCEPT: Begin at the Northwest corner of the SE 1/4 of the SE 1/4 of Section 7, Township 16 South, Range 18 East, Marion County, Florida, thence S 89°29'20" E along the North line of said SE 1/4 of the SE 1/4 a distance of 218.81 feet to a point on the West right-of-way line of a proposed 104 foot wide road, said point being 52 feet from, measured at a right angle to, the centerline of said 104 foot wide road, thence S 4°08'23" W along said West right-of-way line a distance of 136.99 feet to the P.C. of a curve, concave Easterly, having a central angle of 16°41'01" and a radius of 1252 feet, thence Southwesterly and Southeasterly along the arc of said curve and along said right-of-way line a distance of 364.56 feet to the P.T. of said curve, thence continue along said right-of-way line S 12°32'38" E 757.47 feet to the P.C. of a curve, concave Westerly, having a central angle of 7°00'38" and a radius of 748 feet, thence Southeasterly along the arc of said curve and along said right-of-way line a distance of 91.52 feet to a point on the South line of said SE 1/4 of the SE 1/4 (chord bearing and distance between said points being S 9°02'19" E 91.47 feet), thence N 89°25'01" W along said South line a distance of 402.23 feet to the Southwest corner of said SE 1/4 of the SE 1/4 thence N 0°31'38" W along the West line of said SE 1/4 of the SE 1/4 a distance of 1326.56 feet to the Point of Beginning.

AND: N 1/4 of Section 18, Township 16 South, Range 18 East;

AND: NW 1/4 of NW 1/4 of Section 17, Township 16 South, Range 18 East;

AND: W 1/2 of E 1/2 of NW 1/4 of Section 17, Township 16 South, Range 18 East;

AND: Begin at the Northeast corner of Section 17, Township 16 South, Range 18 East, Marion County, Florida, thence S 0°41'45" E along the East line of said Section 17 a distance of 420.76 feet to a point on the Northeasterly right-of-way line of the Seaboard Coastline Railroad (abandoned), now known as the Florida Power Corporation right-of-way, said point being 65 feet from, measured at a right angle to, the centerline of said Seaboard Coastline Railroad (abandoned), now known as the Florida Power Corporation right-of-way, thence N 60°00'49" W along said Northeasterly right-of-way line a distance of 825.75 feet to a point on the North line of said Section 17, thence N 89°21'10" E along said North line a distance of 710.16 feet to the Point of Beginning.

ALL lying and being in Marion County, Florida.

PARCEL B

E 1/2 of SE 1/4 of Section 4, Township 16 South, Range 18 East, Marion County, Florida.

AND: S 82 1/2 feet of NW 1/4 of Section 5, Township 16 South, Range 18 East, Marion County, Florida.

PARCEL C

That portion of Township 16 South, Range 18 East, Marion County, Florida, described as follows:

Section 3 - SW 1/4 of SW 1/4

Section 4 - E 1/2 of NE 1/4, SW 1/4 of SE 1/4 and SW 1/4

Section 5 - NE 1/4 and SE 1/4 of SE 1/4

Section 6 - NW 1/4 and SE 1/4

Section 8 - NE 1/4 of NE 1/4, S 1/2 of NE 1/4 and N 1/2 of SE 1/4

Section 9 - All of Section 9.

Section 10 - N 1/2 of NW 1/4 and SW 1/4 of NW 1/4

Section 16 - All of that part of the N 1/2 of Section 16 lying North and East of Seaboard Coast Line Rail Road right-of-way.

PARCEL D

That part of South 200 feet of North 950 feet of Section 1, Township 16 South, Range 18 East, lying West of right-of-way of U.S. Highway #41, Marion County, Florida.

PARCEL E

That part of the North 750 feet of Section 1, Township 16 South, Range 18 East, lying West of U.S. Highway #41, Marion County, Florida.

PARCEL F

NW 1/4 of NW 1/4 and W 1/2 of SW 1/4 of NW 1/4 and NE 1/4 of SW 1/4 of NW 1/4 of Section 1, Township 16 South, Range 18 East, Marion County, Florida.

EXCEPT the North 950 feet of the NW 1/4 of the NW 1/4, thereof.

PARCEL G

Lot 47, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, page 95, public records of Marion County, Florida.

AND: Lots 45 and 46, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, page 98E, public records of Marion County, Florida.

AND: Lots 32 and 33, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, page 98D, public records of Marion County, Florida.

AND: Lot 28, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, page 98D, public records of Marion County, Florida.

AND: Lots 30 and 31, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, page 98D, public records of Marion County, Florida.

AND: Lot 37, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, page 98E, public records of Marion County, Florida.

AND: Lot 29, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, page 98D, public records of Marion County, Florida.

AND: Lot 13, Block 35, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, pages 97, 97A through 97E, public records of Marion County, Florida.

AND: Lot 14, Block 35, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, pages 97, 97A through 97E, public records of Marion County, Florida.

AND: Lot 6, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, pages 97, 97A through 97E, public records of Marion County, Florida.

AND: Lot 11, Block 49, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, pages 98, 98A through 98E, public records of Marion County, Florida.

AND: Lot 1, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, pages 97C, public records of Marion County, Florida.

AND: Lot 17, Block 49, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, page 98E, public records of Marion County, Florida.

AND: Lot 13, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, pages 97, 97A, 97B and 97C, public records of Marion County, Florida.

AND: Lot 15, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, pages 97, 97A through 97E, public records of Marion County, Florida.

AND: Lot 16, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, pages 97, 97A through 97E, public records of Marion County, Florida.

AND: Lot 17, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, pages 97, 97A through 97E, public records of Marion County, Florida.

AND: Lot 10, Block 34, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, pages 97, 97A through 97E, public records of Marion County, Florida.

AND: Lot 13, Block 18, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, pages 96, and 96A through 96E, public records of Marion County, Florida.

AND: Lot 4, Block 50, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, page 98F, public records of Marion County, Florida.

AND: Lots 3 and 4, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, pages 97, 97A through 97E, public records of Marion County, Florida.

AND: Lot 21, Block 50, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, pages 98 and 98A through 98G public records of Marion County, Florida.

AND: Lot 3, Block 50, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, pages 98, 98A through 98G, public records of Marion County, Florida.

AND: Lot 43, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, page 96A, public records of Marion County, Florida.

AND: Lots 2 and 9, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, pages 97, 97A, 97B, 97C, 97D and 97E, public records of Marion County, Florida.

AND: Lot 33, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, page 96, 96A through 96E, public records of Marion County, Florida.

AND: Lots 43 and 44, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, page 98, public records of Marion County, Florida.

AND: Lots 46 and 47, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, pages 96, 96A through 96E, public records of Marion County, Florida.

AND: Lot 36, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, page 97E, public records of Marion County, Florida.

AND: Lot 53, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, page 96B, public records of Marion County, Florida.

AND: Lot 51, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96A, public records of Marion County, Florida.

AND: Lot 30, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96, public records of Marion County, Florida.

AND: Lot 35, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96, public records of Marion County, Florida.

AND: Lot 41, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96A, public records of Marion County, Florida.

AND: Lot 5A, Block 7, RAINBOW LAKES ESTATES, Section L, as recorded in Plat Book G, Page 7C, public records of Marion County, Florida.

PARCEL H

S 1/2 of NW 1/4 of Section 4;

AND: SW 1/4 of NE 1/4 of Section 4;

AND: NW 1/4 of SE 1/4 of Section 4;

ALL in Township 16 South, Range 18 East, Marion County, Florida.

AND: N 1/2 of NW 1/4 of Section 4, Township 16 South, Range 18 East, Marion County, Florida

AND: E 1/2 of NW 1/4 and NE 1/4 of SW 1/4 of Section 1, Township 16 South, Range 18 East, lying West of U.S. Highway 41; EXCEPT: U.S. Highway #41 right-of-way; AND EXCEPT: That part of the South 200 feet of the North 950 feet of Section 1, Township 16 South, Range 18 East, lying West of U.S. Highway #41, Marion County, Florida; AND EXCEPT: That part of the North 750 feet of Section 1, Township 16 South, Range 18 East, lying West of U.S. Highway #41, Marion County, Florida.

AND: N 1/2 of SE 1/4 of Section 5, Township 16 South, Range 18 East, Marion County, Florida.

PARCEL I

Commencing at the SW corner of the W 1/2 of the NW 1/4 of Section 19, Township 16 South, Range 18 East, thence N 0°52'27"E 2643.78 feet, thence S 87°57'03"E 1317.83 feet, thence S 1°01'53"W 2649.72 feet, thence N 87°41'07"W 1310.70 feet to the Point of Beginning; EXCEPT: Commencing at the SW corner of the W 1/2 of the NW 1/4 of Section 19, Township 16 South, Range 18 East, thence N 0°52'27"E 1615.22 feet to the Point of Beginning, thence continue N 0°52'27"E 417.50 feet, thence S 42°18'47"E 572.63 feet, thence N 89°07'33"W 391.90 feet to the Point of Beginning; AND EXCEPT: Commencing at the SW corner of the W 1/2 of the NW 1/4 of Section 19, Township 16 South, Range 18 East, thence S 87°41'07"E 1310.70 feet, thence N 1°01'53"E 645.14 feet to the Point of Beginning. From said Point of Beginning, continue N 1°01'53"E 679.70 feet, thence S 44°20'53"W 934.20 feet, thence S 88°58'07"E 640.89 feet to the Point of Beginning; AND EXCEPT: right-of-way for State Road 336; AND EXCEPT: Beginning at the NE corner of the SW 1/4 of the NW 1/4 of Section 19, Township 16 South, Range 18 East, thence N 01°01'53"E along the East boundary of the W 1/2 of the NW 1/4 of said Section a distance of 39.88 feet, thence S 42°56'29"W a distance of 381.25 feet to a point on the Northeasterly right-of-way line of State Road 336, thence Southeasterly along and with said Highway line on an arc distance of 18 feet, thence N 44°20'53"E a distance of 352.12 feet to the Point of Beginning; AND EXCEPT: road right-of-way. AND EXCEPT: Begin at the Southwest corner of the West 1/2 of the NW 1/4 of Section 19, Township 16 South, Range 18 East, Marion County, Florida, thence

S 89°05'08"E along the South line of said West 1/2 of the NW 1/4 a distance of 1310.14 feet to the Southeast corner of said West 1/2 of NW 1/4, thence N 0°21'57"W along the East line of said West 1/2 of the NW 1/4 a distance of 365.51 feet to a point on the Southwesterly right-of-way line of County Road No. 336, said point being 50 feet from, measured at a right angle to, the centerline of said County Road No. 336, thence N 12°05'09" W along said Southwesterly right-of-way line a distance of 4.66 feet to the P.C. of a curve, concave Southwesterly, having a central angle of 31°46'29" and a radius of 1383.40 feet, thence Northwesterly along the arc of said curve and along said right-of-way line a distance of 105.99 feet to a point (chord bearing and distance between said points being N 14°16'51" W 105.97 feet), thence leaving said right-of-way line N 89°05'58"W parallel to said South line a distance of 1285.01 feet to a point on the West line of said Section 19, thence S 0°31'28"E along said West line a distance of 472.39 feet to the Point of Beginning.

PARCEL J

Lot 2, Block 19, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96B, public records of Marion County, Florida.

AND: Lot 8, Block 59, RAINBOW ACRES, Unit 5, as recorded in Plat Book H, Page 8B, public records of Marion County, Florida.

AND: Lots 2 and 22, Block 50, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, Page 98F, public records of Marion County, Florida.

AND: Lot 59, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96, public records of Marion County, Florida.

AND: Lot 53, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, page 98F, public records of Marion County, Florida.

AND: Lot 12, Block 14, RAINBOW ACRES, Unit 1, as recorded in Plat Book G, page 95, public records of Marion County, Florida.

AND: Lots 7 and 8, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, Page 97C, public records of Marion County, Florida.

AND: Lots 12 and 13, Block 54, RAINBOW ACRES, Unit 5, as recorded in Plat Book H, Page 8B, public records of Marion County, Florida.

AND: Lots 50 and 51, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, pages 98, 98A through 98F, public records of Marion County, Florida.

AND: Lot 11, Block 54, RAINBOW ACRES, Unit 5, as recorded in Plat Book H, Page 8B, public records of Marion County, Florida.

AND: Lot 58, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, page 96, public records of Marion County, Florida.

AND: Lot 71, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96B, public records of Marion County, Florida.

AND: Lot 62, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96B, public records of Marion County, Florida.

AND: Lot 60, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96B, public records of Marion County, Florida.

AND: Lot 5, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, Page 97C, public records of Marion County, Florida.

AND: Lot 12, Block 49, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, Page 98E, public records of Marion County, Florida.

AND: Lot 23, Block 50, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, page 98F, public records of Marion County, Florida.

AND: Lot 6, Block 54, RAINBOW ACRES, Unit 5, as recorded in Plat Book H, Page 8B, public records of Marion County, Florida.

AND: Lots 10 and 11, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, Page 97C, public records of Marion County, Florida.

AND: Lots 50 and 52, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Pages 96A and 96B, public records of Marion County, Florida.

AND: Lot 1, Block 50, RAINBOW ACRES, Unit 4, as said lot is shown on a map or plat of said subdivision recorded in Plat Book G, page 98F, public records of Marion County, Florida.

AND: Lots 7 and 8, Block 34, RAINBOW ACRES, Unit 3, as said are shown on a map or plat of said subdivision recorded in Plat Book G, page 97C, public records of Marion County, Florida.

AND: Lot 1, Block 55, RAINBOW ACRES, Unit 5, as recorded in Plat Book H, Page 8, public records of Marion County, Florida.

AND: Lot 38, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, Page 98E, public records of Marion County, Florida.

AND: Lot 7, Block 59, RAINBOW ACRES, Unit 4, as recorded in Plat Book H, Page 8B, public records of Marion County, Florida.

AND: Lot 7, Block 59, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96B, public records of Marion County, Florida.

AND: Lot 55, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96B, public records of Marion County, Florida.

AND: Lot 27, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, Page 98D, public records of Marion County, Florida.

AND: Lot 16, Block 49, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, Page 98E, public records of Marion County, Florida.

AND: Lots 1 and 2, Block 58, RAINBOW ACRES, Unit 5, as recorded in Plat Book H, Page 8B, public records of Marion County, Florida.

AND: Lot 12, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, pages 97, 97A, 97B and 97C, public records of Marion County, Florida.

AND: Lot 54, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, pages 96, 96A, 96B, 96C, 96D and 96E, public records of Marion County, Florida.

AND: Lot 31, Block 55, RAINBOW ACRES, Unit 5, as recorded in Plat Book H, page 8, public records of Marion County, Florida.

AND: Lot 32, Block 55, RAINBOW ACRES, Unit 5, as recorded in Plat Book H, page 8, public records of Marion County, Florida.

AND: Lot 15, Block 14, RAINBOW ACRES, Unit 1, as recorded in Plat Book H, pages 95, 95A, 95B, 95C, 95D, and 95E, public records of Marion County, Florida.

AND: Lot 10, Block 54, RAINBOW ACRES, Unit 5, as recorded in Plat Book H, page 8, public records of Marion County, Florida.

AND: Lot 63, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book H, pages 96, 96A, 96B, 96C, 96D and 96E, public records of Marion County, Florida.

AND: Lot 64, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book H, pages 96, 96A, 96B, 96C, 96D and 96E, public records of Marion County, Florida.

AND: Lot 65, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book H, pages 96, 96A, 96B, 96C, 96D and 96E, public records of Marion County, Florida.

AND: Lot 8, Block 14, RAINBOW ACRES, Unit 1, as recorded in Plat Book H, pages 95, 95A, 95B, 95C, 95D and 95E, public records of Marion County, Florida.

AND: Lot 13, Block 49, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, Page 98E, public records of Marion County, Florida.

AND: Lot 14, Block 49, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, Page 98E, public records of Marion County, Florida.

AND: NW 1/4 of the NE 1/4 of Section 4, Township 16 South, Range 18 East, Marion County, Florida.

PARCEL K

Lot 49, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, Page 98E, public records of Marion County, Florida.

AND: Lot 42, Block 53, RAINBOW ACRES, Unit 4, as recorded in Plat Book G, Page 98E, public records of Marion County, Florida.

AND: Lot 3, Block 58, RAINBOW ACRES, Unit 5, as recorded in Plat Book H, Page 98E, public records of Marion County, Florida.

AND: Lot 4, Block 58, RAINBOW ACRES, Unit 5, as recorded in Plat Book H, Page 98B, public records of Marion County, Florida.

AND: Lot 14, Block 18, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96A, public records of Marion County, Florida.

AND: Lot 15, Block 18, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96A, public records of Marion County, Florida.

AND: Lot 16, Block 18, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96A, public records of Marion County, Florida.

AND: Lot 17, Block 18, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96A, public records of Marion County, Florida.

AND: Lot 18, Block 18, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96A, public records of Marion County, Florida.

AND: Lot 16, Block 14, RAINBOW ACRES, Unit 1, as recorded in Plat Book G, Page 95D, public records of Marion County, Florida.

AND: Lot 17, Block 14, RAINBOW ACRES, Unit 1, as recorded in Plat Book G, Page 95D, public records of Marion County, Florida.

AND: Lot 18, Block 14, RAINBOW ACRES, Unit 1, as recorded in Plat Book G, Page 95D, public records of Marion County, Florida.

AND: Lot 75, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96B, public records of Marion County, Florida.

AND: Lot 24, Block 50, RAINBOW ACRES, Unit 4, Plat Book G, Page 98F, public records of Marion County, Florida.

PARCEL L

SW 1/4 of SE 1/4 of Section 5, and NW 1/4 of NE 1/4 of Section 8, All in Township 16 South, Range 18 East, Marion County, Florida.

AND: W 1/2 of Section 5 Township 16 South, Range 18 East, Marion County, Florida; EXCEPT: North 455 feet of the West 306.89 feet thereof; AND EXCEPT: South 82 1/2 feet of the NW 1/4 thereof;

AND: W 1/2 of Section 8, S 1/2 of SE 1/4 of Section 8, NW 1/4 of NE 1/4 of Section 17, and E 1/4 of NW 1/4 of Section 17, All in Township 16 South, Range 18 East, Marion County, Florida.

PARCEL M

Commence at the Northwest corner of Section 19, Township 16 South, Range 18 East, Marion County, Florida, thence S 0°31'28"E along the West line of said Section 19 a distance of 470.61 feet to a point on the Northerly right-of-way line of County Road No. 336, said point being 50 feet from, measured at a right angle to the centerline of said County Road No. 336, thence S 43°51'38"E along said right-of-way a distance of 352.02 feet to a point on the Easterly right-of-way line of a proposed 104 foot wide road, thence N 46°08'22"E along said proposed Easterly right-of-way line a distance of 1029.53 feet to a point on the North line of said Section 19, said point being the Point of the Beginning, said point also being on the South line of Section 18, Township 16 South, Range 18 East, thence continue N 46°08'22"E 122.24 feet to the P.C. of a curve, concave Northwesterly, having a central angle of 35°40' and a radius of 1252.00 feet, thence Northeasterly along the arc of said curve a distance of 779.37 feet to the P.T. of said curve, (chord bearing and distance between said points being N 28°18'22"E 766.85 feet), thence N 10°28'22"E 126.23 feet to a point on the South line of Wildlife Tunnel No. 1, thence along the Southerly, Easterly and Northerly line of said tunnel the following courses and distances: S 79°31'38" E 10.00 feet, thence N 10°28'22" E 50.00 feet, thence N 79°31'38" W 10.00 feet to a point on said Easterly right-of-way line, thence N 10°28'22"E 131.49 feet to the P.C. of a curve concave Southeasterly, having a central angle of 15°18'22" and a radius of 1148.00 feet, thence Northeasterly along the arc of said curve a distance of 306.68 feet to the most Westerly corner of Drainage Detention Area No. 4, (chord bearing and distance between said points being N 18°07'33"E 305.77 feet), thence along the Southerly, Easterly and Northerly line of said Drainage

Detention Area No. 4 the following courses and distances: S 64°13'16"E 36.97 feet, thence N 65°06'29"E 50.69 feet, thence N 66°03'22" E 52.07 feet, thence N 73°34'47" 56.63 feet, thence N 73°34'47"E 91.11 feet, thence N 30°55'22"E 271.65 feet, thence N 59°04'38"W 200.00 feet to a point on said Easterly right-of-way line, thence N 30°55'22"E 41.41 feet to the P.C. of a curve concave South-easterly having a central angle of 29°26'26" and a radius of 1148.00 feet, thence Northeasterly along the arc of said curve a distance of 589.88 feet to a point (chord bearing and distance between said points being N 45°38'35"E 583.41 feet), said point being the most Westerly corner of Drainage Detention Area No. 5, thence along the Southwesterly, Southeasterly and Easterly line of said Drainage Detention Area No. 5 the following courses and distances: S 29°38'12"E 48.80 feet thence S 82°10'10" E 41.93 feet, thence S 82°10'10"E 178.18 feet, thence N 63°18'22"E 341.36 feet, thence N 28°37'25"W 175.70 feet, to a point on said Easterly right-of-way line said point also being on a curve concave Northeasterly, having a central angle of 53°39'51" and a radius of 1052.00 feet, thence North-easterly along the arc of said curve 1020.76 feet to a point (chord bearing and distance between said points being N 34°32'39"E 949.69 feet), said point also being the most Westerly corner of Drainage Detention Area No. 7, thence Southerly, Easterly and Northeasterly along said Drainage Detention Area No. 7 the following courses and distances: S 82°17'17"E 36.81 feet, thence N 8°13'57"E 48.06 feet, thence N 61°13'24"E 116.92 feet, thence N 80°17'01"E 55.87 feet, thence N 3°25'13"E 80.24 feet, thence N 37°37'20"E 44.66 feet, thence N 65°11'45"E 58.70 feet, thence N 13°35'44"W 177.67 feet, thence N 72°31'40"W 81.14 feet, thence N 56°12'56"W 72.25 feet, thence N 81°04'40"W 55.25 feet to a point on said East right-of-way line, said point also being on a curve concave Southeasterly, having a central angle of 18°49'56" and a radius of 748.00 feet, thence Northeasterly along the arc of said curve a distance of 245.86 feet to a point on the North line of the South 3/4 of Section 18, Township 16 South, Range 18 East (chord bearing and distance between said points being N 18°20'18"E 244.75 feet), thence N 89°25'38"W along said North line a distance of 115.09 feet to a point on the Westerly right-of-way line of a said 104 foot wide road, said point also being on a curve concave Southeasterly, having a central angle of 18°20'38" and a radius of 852.00 feet, thence Southwesterly along the arc of said curve a distance of 272.78 feet to the P.T. of said curve (chord bearing and distance between said points being S 15°02'41"W 271.61 feet), thence S 5°52'22"W 395.42 feet to a point on the North line of Wildlife Tunnel No. 2, thence along the Northerly, Westerly and Southerly line of said Wildlife Tunnel No. 2 the following courses and distances: N 84°07'38"W 10.00 feet, thence S 5°52'22"W 28.03 feet to the P.C. of a curve, concave Northwesterly having a central angle of 1°19'40" and a radius of 938.00 feet, thence Southwesterly along the arc of said curve a distance of 21.74 feet to a point (chord bearing and distance between said points being S 6°32'13"W 21.74 feet), thence S 82°47'57"E 10.00 feet to a point on said Westerly right-of-way line, said point also being on a curve concave, Northwesterly having a central angle of 56°06'20" and a radius of 948.00 feet, thence Southeasterly along the arc of said curve and along said Westerly right-of-way line a distance of 928.31 feet to the P.T. of said curve (chord bearing and distance between said points being S 35°15'12"W 891.66 feet), thence S 63°18'22"W along said Westerly right-of-way line 424.93 feet to the P.C. of a curve concave South-easterly, having a central angle of 32°23' and a radius of 1252.00 feet, thence Southwesterly along the arc of said curve and along said Westerly right-of-way line a distance of 707.63 feet to the P.T. of said curve (chord bearing and distance between said points being S 47°06'52"W 698.24 feet), thence S 30°55'22"W along said Westerly right-of-way line 406.62 feet to the P.C. of a curve concave South-easterly, having a central angle of 20°27' and a radius of 1252.00 feet, thence Southwesterly along the arc of said curve and along said Westerly right-of-way line a distance of 446.68 feet to the P.T. of said curve (chord bearing and distance between said points being S 20°41'52"W 444.50 feet), thence S 10°28'22"W along said Westerly right-of-way line 131.49 feet to a point on the North line of Wildlife Tunnel No. 1, thence along the Northerly, Westerly and Southerly line of said tunnel the following courses and distances: N 79°31'38"W 10.00 feet, thence S 10°28'22"W 50.00 feet, thence S 79°31'38"E 10.00 feet to a point on said Westerly right-of-way line, thence S 10°28'22"W along said Westerly right-of-way line 126.23 feet to the P.C. of a curve concave Northwesterly, having a central angle of 9°29'26" and a radius of 1148.00 feet, thence Southeasterly along the arc of said curve and along said Westerly right-of-way line

a distance of 190.16 feet to a point on the North line of Drainage Detention Area No. 3 (chord bearing and distance between said points being S 15°13'05"W 189.94 feet), thence Northerly, Westerly and Southerly along said Drainage Detention Area No. 3 the following courses and distances: N 70°02'12"W 164.10 feet, thence S 45°59'23"W 27.15 feet, thence S 58°26'06"W 41.04 feet, thence S 72°13'21"W 59.93 feet, thence S 75°43'11"W 22.46 feet, thence S 43°50'12"W 259.56 feet, thence S 46°09'48"E 300.00 feet to a point on said Westerly right-of-way line, said point also being on a curve concave Northwesterly, having a central angle of 2°18'10" and a radius of 1148.00 feet, thence Southwesterly along the arc of said curve and along said Westerly right-of-way line a distance of 46.14 feet to the P.T. of said curve (chord bearing and distance between said points being S 44°59'17"W 46.14 feet), thence S 46°08'22"W and along said Westerly right-of-way line 228.07 feet to a point on the aforesaid South line of Section 18, said point also being on the aforesaid North line of Section 19, thence S 89°21'42"E along said South line and along said North line a distance of 148.38 feet to the Point of Beginning.

PARCEL N

Project:

Lot 7, Block 19, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Page 96B, Public Records of Marion County, Florida.

AND: Lot 11, Block 14, RAINBOW ACRES, Unit 1, as recorded in Plat Book G, Pages 95, 95A through 95E inclusive, Public Records of Marion County, Florida.

AND: Lots 19 and 20, Block 14, RAINBOW ACRES, Unit 1, as recorded in Plat Book G, Page 95, Public Records of Marion County, Florida.

AND: Lot 44, Block 14, RAINBOW ACRES, Unit 2, as recorded in Plat Book G, Pages 97, 97A through 97E, inclusive, Public Records of Marion County, Florida.

AND: Lot 18, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, Pages 97, 97A through 97E, inclusive, Public Records of Marion County, Florida.

AND: Lots 19, 20 and 21, Block 33, RAINBOW ACRES, Unit 3, as recorded in Plat Book G, Page 97C, Public Records of Marion County, Florida. It is hereby determined, declared, and enacted that the creation of the district with the power vested in it by this act is in the interest of and conducive to public welfare, health, and convenience.

Section 2. Definitions.—As used in this act, the term:

- a. "Board," "governing board," or "board of supervisors" means the governing board of the Cold Springs Improvement District.
- b. "District" means the Cold Springs Improvement District.
- c. "County" means Marion County.
- d. "Engineer" or "district engineer" means the individual engineer or engineering firm appointed by the governing board of the district to provide general engineering services to the district from year to year.
- e. "Primary infrastructure" means roads and bridges, drainage and stormwater systems, and potable water and sanitary sewer systems constructed, operated, and maintained by the district.
- f. "Unit," "administrative unit," or "financial unit" means financial, development, or administrative subdistricts within the district which may be created in the discretion of the board for all or a portion of the district.
- g. "Urban area" means, in addition to urban area defined pursuant to section 189.4051(2)(b), Florida Statutes, all areas within the district served by all completed primary infrastructure and, at minimum, a pro rata percentage of conservation and open space acreage as defined in the PUD Performance Standards for Cold Springs Villages.

Section 3. Compliance.—The Cold Springs Improvement District shall comply with all planning requirements contained herein, all applicable requirements within chapter 189, Florida Statutes, the development order for the Cold Springs Villages Florida Quality Development and any amendments thereto. All governmental, planning, environmental, and

land development laws, regulations, and ordinances apply to all development of land within the district. In the execution of the powers and authorities granted in this act, the district's actions shall be consistent with the applicable provisions of the Marion County Comprehensive Plan and its ordinances and regulations.

Section 4. General powers of the district.—The district shall have and the board may exercise the following powers:

- a. To sue and be sued in the name of the district; to adopt and use a seal and authorize the use of a facsimile thereof; to acquire, by purchase, gift, devise, or otherwise, real and personal property, or any estate therein; and to make and execute contracts and other instruments necessary or convenient to the exercise of its powers.
- b. To apply for coverage of its employees under the state retirement system or any other available programs. However, members of the board of supervisors shall not be deemed employees for purposes of this provision.
- c. To contract for the services of consultants to perform planning, engineering, legal, administrative, or other appropriate services of a professional nature.
- d. To borrow money and accept gifts; apply for and use grants or loans of money or other property from the United States, the state, a unit of local government, or any person for any district purposes and enter into agreements required in connection therewith; and to hold, use, and dispose of such moneys or property for any district purposes in accordance with the terms of the gift, grant, loan, or agreement relating thereto.
- e. To adopt rules and orders pursuant to the provisions of chapter 120, Florida Statutes, prescribing the powers, duties, and functions of the officers of the district, the conduct of the business of the district, the maintenance of records, and the form of all other documents and records of the district. The board may also adopt resolutions necessary for the conduct of district business.
- f. To maintain an office at such place or places as it may designate within the county in which the district is located, pursuant to chapter 189, Florida Statutes.
- g. To hold, control, and acquire by donation, purchase, or condemnation property, any public easements, dedications to public use, platted reservations for public purposes, or any reservations for those purposes authorized by this act and to make use of such property, easements, dedications, or reservations for any of the purposes authorized by this act.
- h. To lease as lessor or lessee to or from any person, firm, corporation, association, or body, public or private, any projects of the type that the district is authorized to undertake and facilities, vehicles, equipment, or property of any nature for the use of the district to carry out any of the purposes authorized by this act.
- i. To borrow money and issue bonds, certificates, warrants, notes, or other evidence of indebtedness as hereinafter provided; to levy such tax and non-ad valorem assessments as may be authorized; and to charge, collect, and enforce fees and other user charges.
- j. To raise, by user charges or fees authorized by rule, order, or resolution of the board, amounts of money which are necessary for the conduct of the district activities and services and to enforce their receipt and collection in the manner prescribed by law. However, no charges or fees shall be established until after a public hearing by the board of the district at which all affected persons shall be given an opportunity to be heard.
- k. In the event the district enters into an impact fee credit agreement with Marion County where the district constructs or makes contributions for public facilities for which impact fee credits would be available, the agreement may provide that such impact fee credits shall inure to the landowners within the district in proportion to their relative assessments, and the district shall, from time to time, execute such instruments (such as assignments of impact fee credits) as may be necessary or desirable to accomplish or confirm the foregoing.
- l. To exercise the right and power of eminent domain, pursuant to the provisions of chapters 73 and 74, Florida Statutes, with prior approval of the Marion County Commission, over any property within Marion County, except municipal, county, state, federal, or other public property, for the uses and purposes of the district relating to the implementation of its powers prescribed by this section.

m. To cooperate with, or contract with, other governmental agencies as may be necessary, convenient, incidental, or proper in connection with any of the powers, duties, or purposes authorized by this act.

n. To assess and impose upon lands in the district ad valorem taxes, and non-ad valorem assessments, as provided by this act and chapter 197, Florida Statutes.

o. To impose and foreclose tax and non-ad valorem assessment liens as provided by this act and chapter 197, Florida Statutes.

p. To exercise all of the powers necessary, convenient, incidental, or proper in connection with any of the powers, duties, or purposes authorized by this act.

q. To exercise such specific powers as may be authorized by this act.

r. The district shall not have and the board shall not exercise the powers set forth in subparagraphs a. through q., except subparagraph m., upon lands to be acquired for the proposed extension of Florida's turnpike, future improvements to U.S. 41 (S.R. 45) and any additional lands including approximately 40 acres for a proposed interchange of U.S. 41 and the northern extension of the turnpike not to exceed a total of 400 acres which the Department of Transportation identifies to the district in writing no later than October 31, 1994, as land the department intends to acquire for transportation purposes. In the event the department subsequently locates the northern extension of Florida's Turnpike, U.S. 41 (S.R. 45) or other projects on lands not identified, the department shall only be liable to the district for the district's actual costs in replacing existing infrastructure and any net loss in taxes, assessments or fees which secure district debt or obligations and which results solely from the relocation of the northern extension of the turnpike, U.S. 41 (S.R. 45) or other projects. Lands identified but not utilized by the department for the northern extension of the turnpike, U.S. 41, or other projects shall be subject to all district powers if not included in the final rights-of-way acquiring by the department.

Section 5. Specific powers of the district.—In addition, the district shall have, and the board may exercise, subject to the regulatory jurisdiction and permitting authority of all applicable governmental bodies, agencies, and special districts having authority with respect to any area included therein, any or all of the following special powers relating to public improvements and community facilities within the district and Marion County. To plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for the following basic infrastructures:

a. Water management and control, drainage and irrigation, and to connect some or any of such facilities with roads and bridges.

b. Potable water supply, sewer, and wastewater management, including reuse facilities.

c. Roads, bridges, and related facilities as permitted by the county.

d. Nonautomotive transportation corridors and related facilities.

e. Lighting.

f. Parks and facilities for indoor and outdoor recreational, cultural, and educational uses and programs.

g. Fire prevention and control, including the construction or purchase of fire stations, water mains and plugs, fire trucks, and other vehicles and equipment consistent with any adopted Marion County ordinances, rules, and regulations. The district shall not levy non-ad valorem assessments for activities, programs, or property for which Marion County is levying such assessments, without an interlocal agreement with the county.

h. Cemeteries.

i. Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol vehicles, when authorized by proper governmental agencies; except that the district may not exercise any police power, but may contract with the appropriate local general-purpose government agencies for an increased level of such services within the district boundaries.

j. Waste and garbage collection.

k. Conservation and environmental mitigation activities.

l. Construction and operation of other public utilities including communication systems, consistent with chapters 364 and 366, Florida Statutes. Notwithstanding the foregoing, the district shall not establish a local exchange telecommunications service as described in and regulated by chapter 364, Florida Statutes, or an electric utility service as regulated by chapter 366, Florida Statutes.

Section 6. Board of supervisors; election of first board; organization, powers, duties, and terms of office.—There is created a governing board of the Cold Springs Improvement District which shall be known as the board of supervisors. The board shall consist of five persons, who, except as herein otherwise provided, shall hold office for a term of 4 years and until their successors shall be duly elected and qualified. The first governing board of the district shall be elected at a landowners' meeting to be held within 30 days of the effective date of this act. The election shall be conducted pursuant to section 8. The three members receiving the highest number of votes overall shall be elected for a term of 4 years and until their successors shall be elected at the landowners' meeting of 1998. The two remaining members of the board shall be elected for a term of 2 years and until their successors shall be elected at the landowners' meeting of 1996. A member may succeed himself in office. All vacancies or expirations on the board shall be filled as required by this act. The first supervisors of the Cold Springs Improvement District and those subsequently elected on a 1-acre, one-vote basis shall be residents of the state and citizens of the United States. Conversion of the board to a popularly elected board shall be pursuant to sections 189.405 and 189.4051, Florida Statutes, and popularly elected board members shall comply with all applicable provisions of the Florida Election Code, chapters 97-106, Florida Statutes, including residency and citizenship requirements for elected public officials. Election of popularly elected board members shall be by electors of the district as defined by chapter 189, Florida Statutes. Elections shall be held at the time of the second primary unless otherwise required by general election law. The district shall cooperate with the Marion County supervisor of elections to locate adequate polling facilities for district elections consistent with the Voting Accessibility for the Elderly and Handicapped Act and the Americans with Disabilities Act. In case of a vacancy in the membership of the board, the remaining supervisors shall fill such vacancy until the next regular meeting of the landowners, when his successor shall be elected by the landowners for the unexpired term. As soon as practicable after their election, the governing board of the district shall organize by choosing one of their number president of the board and by electing some suitable person secretary, who may but need not be a member of the board. The governing board may adopt a seal which shall be the seal of the district. At each annual meeting of the landowners of the district, the board shall report all work undertaken or completed during the preceding year and the financial status of the district. All board members shall hold office until their successors shall be elected and qualified. Whenever any election is authorized or required by this act to be held by the landowners, at any particular or stated time or day, and if for any reason such election shall not or cannot be held at such time or on such day, then in such event the power or duty to hold such election shall not cease or lapse, but such election shall be held thereafter as soon as practicable and consistent with this act.

Section 7. Compensation of board.—Each governing board member shall be paid a salary for each day of service, in the amount established by the board not to exceed \$250 per day, not to exceed \$4,800 per year, per supervisor. In addition to salary, they shall receive reimbursement for travel and expenses as provided by law. For purposes of determining the election qualification fee for candidates for popularly elected board membership, annual salary shall be deemed to be 12 days' salary.

Section 8. Meetings of landowners; election of board members.—Every 2 years during the month of October, beginning with October 1996, a meeting of the landowners of said district shall be held for the purpose of electing board members to take the place of the retiring members and of hearing reports of the governing board. The board shall have the power to call special meetings of the landowners at any time to receive reports or consider and act upon any matter upon which the governing board may request advice. Notice of all meetings of the landowners shall be given by the board of supervisors pursuant to chapter 189, Florida Statutes. The landowners, when assembled for the landowners' meeting, shall organize by electing a chairman who shall preside at the meeting. The secretary of the governing board shall be the secretary of such meeting. At all such landowners' meetings, each and every acre or fraction thereof of land in the district shall represent one vote, and each owner shall be entitled to cast one vote for each vacant board position in person or by

written proxy for every acre or fraction thereof of land owned by him in the district. The person receiving the highest number of votes for each vacant board position shall be declared and elected as such member. At any landowners' meeting, a quorum shall constitute the acreage of those landowners present in person or by proxy. Guardians may represent their wards; personal representatives may represent the estates of deceased persons; trustees may represent lands held by them in trust; and private corporations may be represented by their officers or duly authorized agents. Guardians, personal representatives, trustees, and corporations may vote by proxy.

Section 9. Establishment and dissolution of the district.—The Cold Springs Improvement District has been created by the Florida Legislature and may only be dissolved pursuant to legislative act. Notwithstanding sections 189.4044 and 189.4045, Florida Statutes, no assets or liabilities of the district shall be transferred to Marion County without county permission in the event the district is dissolved.

Section 10. Amendment of district charter.—The charter for the Cold Springs Improvement District may be amended only by legislative act.

Section 11. Financial disclosure, notices, and reporting requirements.—The Cold Springs Improvement District and its officers and employees shall be subject to all applicable provisions of chapter 112, Florida Statutes, and all financial disclosure, public notice, public meeting, and reporting requirements contained within chapter 189, Florida Statutes.

Section 12. Ad valorem; millage rate.—In addition to millage levied for the payment of bonds, and taxes levied for periods no longer than 2 years when authorized by vote of the electors of the district, upon approval by referendum of electors of the district, the Cold Springs Improvement District shall be entitled to levy an annual ad valorem tax of up to 5 mills to carry out the administration and programs of the district.

Section 13. District development plan adoption; plan amendment; form of notice; objections, hearing, and determination on resolution.—

a. District infrastructure and works shall be implemented pursuant to a development plan. Any development plan shall be consistent with the provisions of the development order for the Cold Springs Villages Florida Quality Development and amendments thereto. All governmental, planning, environmental, and land development laws, regulations, and ordinances apply to all development of land within the district. In the execution of the powers and authorities granted in this act, the district's action shall be consistent with the applicable provisions of the Marion County Comprehensive Plan and its ordinances and regulations. The board of supervisors shall, by resolution at a regularly scheduled meeting determine to consider adoption of a development plan or amend or change the development plan of the district. Notice, hearing, and final approval of any proposed plan or amendment shall comply with all provisions of this section. Lands may only be added to or deleted from the district by legislative modification of this act and the written consent of the landowners of lands to be added or deleted and the Marion County Commission.

b. As soon as the resolution has been filed with the district secretary, the board shall give notice by causing publication to be made once a week for 2 consecutive weeks in a newspaper of general circulation published in each county in which land and other property described in the resolution are situated. The notice shall be in substantially the following form:

Notice of Hearing

To the owners and all persons interested in the lands corporate, and other property in and adjacent to Cold Springs Improvement District.

You, and each of you, are hereby notified that the Cold Springs Improvement District has filed in the office of the Secretary of the district a resolution to consider approval of a development plan or an amendment to the development plan to provide (insert summary). At its regularly scheduled meeting of (date and time), the governing board will direct the district engineer pursuant to section 14 of the district's enabling act to identify property to be taken, assess benefits and damages and estimate the cost of improvements. Said engineer shall prepare and file a report with the Secretary of the district pursuant to sections 14 and 15 of the enabling act. Exceptions and objections to the resolution and report must be filed with the Secretary of this district pursuant to section 17 of the enabling act within 20 days of filing said engineer's report with

the Secretary of the district or within 20 days of the last published notice of filing the engineer's report whichever is later. Final hearing on approval of the proposed plan or amendment, and engineer's report shall be duly noticed as prescribed by law and held at a regularly scheduled governing board meeting within 45 days of filing the engineer's report.

Date of first publication , 19__ .

(President, board of supervisors)
Marion County, Florida

c. In addition to the publication of notice, a copy of the resolution shall be served by first class mail on any owner of land within the district, the water management district created pursuant to chapter 373, Florida Statutes, in which lands described in the petition are situated, on the board of county commissioners of the county, and the governing body of any municipality, in which the lands are situated.

d. Any owner of lands located in the district, the applicable water management district created pursuant to chapter 373, Florida Statutes, the board of county commissioners of the county and the governing board of any municipality in which district lands are situated, shall have the right to file objection to the approval of the proposed development plan, plan amendment, or boundary change and report within the time allowed by section 13.

Section 14. Appraisal of lands for rights-of-way, etc.—Upon passage of the resolution to consider the development plan or plan amendment, the board of supervisors shall direct the district engineer to appraise the lands within and without said district to be acquired for rights-of-way, and other works of the district, and to assess benefits and damages accruing to all lands in the district by reason of the execution of the development plan or plan amendment.

Section 15. Proceedings of engineer; duties of district attorney; assessment; change of plan; property assessable; compensation; assessment of lands outside district.—

a. Upon approval of the resolution of the governing board and direction pursuant to sections 13 and 14, the engineer shall begin his duties. He may at any time call upon the attorney of the district for legal advice and information relative to his duties. The engineer shall proceed to view the premises and determine the value of all lands, within or without the district, to be acquired by purchase or condemnation and used for rights-of-way, or other works set out in the development plan. The engineer shall assess the amount of benefits, and the amount of damages also, if any, that will accrue to each subdivision of land (according to ownership), from carrying out and putting into effect the plan or plan amendment considered. The engineer shall assess only such benefits as will be derived from the construction of the works and improvements set out in the plan. The engineer shall have no power to change the development plan or plan amendment change provided for in accordance with this act.

b. The engineer shall prepare a report of his findings, which shall be arranged in tabular form, the columns of which shall be headed as follows: column one, "owner of property assessed"; column two, "description of property assessed"; column three, "number of acres assessed"; column four, "amount annual assessment assessed"; column five, "county property appraiser's valuation"; column six, "number of acres to be taken for rights-of-way, district works, etc."; column seven, "value of property to be taken"; column eight, "estimated increase in property value from improvement." He shall also, by and with the advice of other employees of the district, estimate the cost of the works set out in the development plan which estimate shall include the cost of property required for rights-of-way, and other works and damages, and the probable expense of organization and administration, as estimated by the board of supervisors, and shall tabulate the same. If the county property appraiser's total valuation of the assessed property or the engineer's estimate of increased property value exceeds the total amount of assessments, benefits shall be deemed to exceed damages. A maintenance assessment recommendation shall also be included in each engineer's report considered by the board. However, such maintenance assessment shall not be considered as part of the costs of installation or construction specified by the plan or plan amendment in determining whether benefits exceed damages. Said report shall be signed by the engineer and filed in the office of the secretary of the district. The secretary of the district, or his deputy, shall, under the advice, supervision, and direction of the attorney and engineer for the district, assist in preparation of the report.

Section 16. Form of notice of filing of engineer's report; publication of notice.—

a. Upon the filing of the engineer's report, the board of supervisors shall give notice thereof, by causing publication together with a geographic depiction of the district to be made once a week for 2 consecutive weeks in a newspaper of general circulation in each county in the district. The last publication shall be made at least 20 days before a return date, to be named in such notice, on which exceptions may be filed. It shall not be necessary to name the parties interested, but it shall be sufficient to say:

Notice of Filing Engineer's
Report for Cold Springs Improvement District

Notice is hereby given to all persons interested in the following described land and property in Marion County, in the State of Florida, viz.: (Here describe land and property) included within Cold Springs Improvement District, that the engineer hereto appointed to assess benefits and damages to the property and lands situated in said district and to appraise the cash value of the land necessary to be taken for rights-of-way, and other works of the district, within or without the limits of said district, filed his report in the Office of the Secretary of the district, Marion County, Florida, on the _____ day of _____, 19____, and you and each of you are hereby notified that you may examine said report and file exception to all, or any part thereof, on or before _____, 19____. The report recommends (describe assessment schedule). If approved, the assessment will be collected by the county tax collector. A hearing to consider approval of the report and plan or plan amendment shall be held (time, place and date at least 30 days following final notice).

(President, board of supervisors)
Marion County, Florida

b. A copy of the above notice as published shall be served by first class mail on each person owning land within the district, as shown on the current tax roll, the water management district created under chapter 373, Florida Statutes, in which the lands are situated; the board of county commissioners of the county, and the governing body of any municipality, in which the lands are situated together with written notice that a copy of the complete engineer's report is available for inspection at the office of the secretary of the district.

Section 17. Filing exceptions to report; hearing; determination by board, etc.—

a. Any water management district created pursuant to chapter 373, Florida Statutes, the board of county commissioners of a county or the governing board of a municipality within which district lands are located or landowners within the district boundaries may file exception to any part, or all, of the report of said engineer within the time specified in section 13.

b. All exceptions shall be heard and determined by the governing board of the district in a full and complete hearing so as to carry out liberally the purposes and needs of the district. If it is shown, upon the hearing of all of said exceptions, that the estimated cost of construction of improvements contemplated in the development plan is less than the benefits assessed against the lands in said district, the governing board of the district shall approve and confirm said engineer's report; but if the governing board of the district, upon hearing the objections filed, finds that any or all such objections should be sustained, it shall order the report changed to conform with such findings, and when so changed the governing board of the district shall approve and confirm such report and enter its order approving the report and plan or plan amendment accordingly. When any land or other property is shown by engineer's report to be needed for rights-of-way, or other works, the governing board shall institute proceedings pursuant to chapter 73 or chapter 74, Florida Statutes, in the circuit court of the proper county to condemn the lands and other property that must be taken or damaged in the making of such improvements with the right and privilege of paying into court a sum to be fixed by the circuit court judge, and proceeding with the work, before the assessment by the jury.

c. Any party identified pursuant to section 16, may challenge the decision of the board in the manner and time provided by the Florida Rules of Civil and Appellate Procedure. If it is determined that any tract or lot or land, or parts thereof upon which a non-ad valorem assessment

is authorized and levied, will not be benefited by or receive any benefit from the completion of the development plan or will be burdened disproportionately to other similarly benefited landowners, then the non-ad valorem assessment shall not be levied against that land.

Section 18. Assessing land for development; apportionment of tax.— After the engineer's report has been approved by the governing board of the district, the development plan or plan amendment has been finally adopted and the lists of lands, with the assessed benefits have been filed in the office of the secretary of the district, then the board of supervisors shall levy a non-ad valorem assessment, on all lands in the district to which benefits have been assessed, as approved by the board of supervisors to pay the costs of the completion of the proposed works and improvements, as shown in said plan and in carrying out the objectives of said district; and, in addition thereto, 10 percent of said total amount for contingencies. The assessment shall be apportioned to, and levied on, each assessable tract of land in said district. The board of supervisors may also levy a maintenance assessment on all lands in the district to which benefits have been assessed as may be necessary to operate and maintain said district works and activities. A maintenance assessment recommendation shall be included in each engineer's report considered by the board.

Section 19. When plan insufficient, supervisors have power to make new plans; additional levy; may issue bonds; procedure.—

a. Where the works set out in an original or amended development plan of the district are found insufficient to develop in whole or in part, any or all of the lands of the district, the board of supervisors shall have the right to formulate new or amended plans, containing new or modified public infrastructure or other works authorized pursuant to this act and additional assessments may be made in conformity with the provisions of sections 13-18, the same to be made in proportion to the increased benefits accruing to the lands because of the additional works.

b. If it should be found at any time that the amount of total assessments levied under the provisions of sections 13-18, or that the funds derived from the sale of bonds are insufficient to pay the cost of works set out in the development plan, the board of supervisors may make an additional levy to provide funds to complete the work and, in addition thereto, up to 10 percent of said total amount for contingencies; and, if in their judgment it seems best, may issue bonds not to exceed the amount of said additional levy.

c. If it should be found, at any time, that the development plan as adopted requires modification or improving the works authorized by the development plan, and that the amount of the total assessments levied under the provisions of sections 13-18, or that the funds derived from the sale of bonds are not sufficient to carry out the plan with such modification, the board of supervisors may initiate amendment proceedings pursuant to section 13.

d. After the governing board resolution and engineer's report, prepared and filed pursuant to this act, have been approved by the governing board of the district, then the board shall have power to levy a non-ad valorem assessment on all lands in the district to which benefits have been assessed to pay the increased cost of the completion of the proposed works and improvements, as shown in the development plan as amended. The assessment may include the cost of maintaining and operating the facilities, and all incidental expenses in connection therewith; and, in addition thereto, up to 10 percent of said total amount for contingencies. The board may also issue bonds not to exceed the amount of said additional levy. The additional assessments authorized to be levied under the provisions of this section shall be levied and collected in the same manner as assessments levied under the provisions of section 18.

e. Bonds issued under the provisions of this section shall draw interest at a rate in compliance with general law, payable semiannually, and shall be made payable at such time and at such place as the board of supervisors may determine. Any additional assessment authorized to be levied upon each tract of land in said district in proportion to the benefits assessed and not in excess thereof, and in case bonds are issued as herein provided, then the amount of the interest (as estimated by said board of supervisors), which will accrue on such bonds, shall be included and added to said additional levy. The interest to accrue on said bonds shall not be included as part of the cost of construction, in determining whether the expenses and costs of making the improvements shown in the development plan are equal to, or in excess of the benefits assessed.

Section 20. Assessments and costs a lien on land against which taxes levied.—All non-ad valorem assessments and taxes provided for in this act, together with all penalties for default in payment of the same and all costs in collecting the same, shall, from the date of assessment thereof until paid, constitute a lien of equal dignity with the liens for county taxes, and other taxes of equal dignity with county taxes, upon all the lands against which such assessments shall be levied, assessed, and collected pursuant to section 197.3632, Florida Statutes.

Section 21. Levies of assessments on land less than 1 acre.—In levying and assessing assessments based upon acreage, each tract or parcel of land less than 1 acre in area shall be assessed as a full acre, and each tract or parcel of land more than 1 acre in area which contains a fraction of an acre shall be assessed at the nearest whole number of acres, a fraction of one half or more to be assessed as a full acre.

Section 22. When unpaid assessments delinquent; penalty.—All non-ad valorem assessments and taxes provided for in this act shall be and become delinquent and bear penalties on the amount of said taxes in the same manner as county taxes. Said assessment and tax shall be a lien until paid on the property against which assessed and enforceable in like manner as county taxes.

Section 23. Enforcement of taxes.—The collection and enforcement of all non-ad valorem assessments and taxes levied by the district shall be at the same time and in like manner as county taxes, and the provisions of the Florida Statutes relating to the sale of lands for unpaid and delinquent county taxes, the issuance, sale, and delivery of tax certificates for such unpaid and delinquent county taxes, the redemption thereof, the issuance to individuals of tax deeds based thereon, and all other procedures in connection therewith, shall be applicable to the district and the delinquent and unpaid assessments and taxes of the district to the same extent as if said statutory provisions were expressly set forth in this act. All taxes shall be subject to the same discounts as county taxes.

Section 24. Uniform acreage assessment for payment of expenses.—There is hereby levied by the Legislature of the State of Florida upon each and every acre of land within the Cold Springs Improvement District as defined in this act a uniform assessment of \$20 per acre for the year 1994 to be used by the district, through its governing board, for the purpose of district administration, paying expenses incurred or to be incurred in making surveys of the lands in the district and assessing benefits and damages, and other expenses necessarily incurred, as may be estimated or determined by the governing board, before the board shall have funds under the subsequent provisions of this act. The assessment shall be a lien upon the lands in the district from the effective date of this act and shall be collected by the district. If it shall appear to the governing board to be necessary to obtain funds to pay any expenses incurred or to be incurred in organizing the district, or any other expenses of the conduct and operation of the district before a sufficient sum can be obtained by the collection of the acreage assessment levied by this section, the board may borrow a sufficient sum of money for any of said purposes and may issue negotiable notes or bonds therefor signed by the members of said board of supervisors, and may pledge any and all assessments of said acreage assessment levied under the provisions of this section for the repayment thereof. The governing board may issue negotiable evidence of debt to any person or persons performing work or services or furnishing anything of value in the organization of the district and for any other expenses necessarily incurred before the receipt of funds arising from assessments or benefits.

Section 25. Short-term borrowing; bonds.—

a. ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to the other powers provided for in this act, the district shall have the power to borrow money in anticipation of the sale of bonds and to issue bond anticipation notes in a principal sum not in excess of the authorized maximum amount of such bond issue. Such notes shall be in such denomination or denominations, bear interest at such rate as the district board may determine in compliance with general law, mature at such time or times not later than 5 years from the date of issuance, and be in such form and executed in such manner as the district board shall prescribe. Such notes may be sold at either public or private sale or, if such notes shall be renewal notes, may be exchanged for notes then outstanding on such terms as the district board shall determine. Such notes shall be paid from the proceeds of such bonds when issued. The district board may, in its discretion, in lieu of retiring the notes by means of bonds, retire them by means of current revenues or from any taxes or assessments levied for the payment of such bonds, but in such event a like amount of the bonds authorized shall not be issued.

b. SHORT-TERM BORROWING.—The district at any time may obtain loans, in such amount and on such terms and conditions as the district board may approve, for the purpose of paying any of the expenses of the district or any costs incurred or that may be incurred in connection with any of the projects of the district, which loans shall bear such interest as the district board may determine in compliance with general law, and may be payable from and secured by a pledge of such funds, revenues, taxes, and assessments as the board may determine. The district may issue negotiable notes, warrants, or other evidence of debt to be payable at such times, to bear such interest as the district board may determine in compliance with general law, and to be sold or discounted at such price or prices not less than 95 percent of par value and on such terms as the district board may deem advisable. The district board shall have the right to provide for the payment thereof by pledging the whole or any part of the funds, revenues, taxes, and assessments of the district. The approval of the electors residing in the district shall not be necessary except when required by the State Constitution.

c. AUTHORIZATION AND FORMS OF BONDS.—Any general obligation bonds, assessment bonds, or revenue bonds may be authorized by resolution or resolutions of the district board which shall be adopted by a majority of all the members thereof then in office. Such resolution or resolutions may be adopted at the same meeting at which they are introduced and need not be published or posted. The district board may, by resolution, authorize the issuance of bonds and fix the aggregate amount of bonds to be issued; the purpose or purposes for which the moneys derived therefrom shall be expended; the rate or rates of interest, in compliance with general law; the denomination of the bonds; whether or not the bonds are to be issued in one or more series; the date or dates of maturity, which shall not exceed 40 years from their respective dates of issuance; the medium of payment; the place or places within or without the state where payment shall be made; registration privileges; redemption terms and privileges, whether with or without premium; the manner of execution; the form of the bonds; the manner of execution of bonds; and any and all other terms, covenants, and conditions thereof and the establishment of revenue or other funds. Such authorizing resolution shall further provide that such bonds shall be executed in accordance with chapter 279, Florida Statutes, the Registered Public Obligations Act of Florida. The seal of the district may be affixed, lithographed, engraved, or otherwise reproduced in facsimile on such bonds. In case any officer whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery.

d. ISSUANCE OF ADDITIONAL BONDS.—The district board may authorize the issuance of additional bonds, upon such terms and conditions as the district board may provide in the resolution authorizing the issuance thereof, but only in compliance with the resolution or other proceedings authorizing the issuance of the original bonds.

e. REFUNDING BONDS.—The district shall have the power to issue bonds to provide for the retirement or refunding of any bonds or obligations of the district that at the time of such issuance are or subsequently thereto become due and payable, or that at the time of issuance have been called or are or will be subject to call for redemption within 10 years thereafter, or the surrender of which can be procured from the holders thereof at prices satisfactory to the district board. Refunding bonds may be issued at any time when in the judgment of the district board such issuance will be advantageous to the district. No approval of the electors residing in the district shall be required for the issuance of refunding bonds except in cases in which such approval is required by the State Constitution. The district board may by resolution confer upon the holders of such refunding bonds all rights, powers, and remedies to which the holders would be entitled if they continued to be the owners and had possession of the bonds for the refinancing of which such refunding bonds are issued, including, but not limited to, the preservation of the lien of such bonds on the revenues of any project or on pledged funds, without extinguishment, impairment, or diminution thereof. The provisions of this act pertaining to bonds of the district shall, unless the context otherwise requires, govern the issuance of refunding bonds, the form and other details thereof, the rights of the holders thereof, and the duties of the district board with respect thereto.

f. REVENUE OR ASSESSMENT BONDS.—The district shall have the power to issue revenue or assessment bonds from time to time. Such bonds may be secured by, or payable from, the gross or net pledge of the revenues to be derived from any facility or combination of facilities; from

the rates, fees, or other charges to be collected from the users of any facility or facilities; from any non-ad valorem assessments or revenue-producing undertaking or activity of the district; or from any other sources or pledges of security. Such bonds shall not constitute an indebtedness of the district, and the approval of the qualified electors shall not be required unless such approval is required by the State Constitution.

g. GENERAL OBLIGATION BONDS.—

(1) The district shall have the power from time to time to issue general obligation bonds to finance or refinance capital projects or to refund outstanding bonds in an aggregate principal amount of bonds outstanding at any one time not in excess of 35 percent of the assessed value of the taxable property within the district as shown on the pertinent tax records at the time of the authorization of the general obligation bonds for which the full faith and credit of the district is pledged. Except for refunding bonds, no general obligation bonds shall be issued unless the bonds are issued to finance or refinance a capital project and the issuance has been approved at an election held in accordance with the requirements for such election as prescribed by the State Constitution. Such elections shall be called by the board of the district. Calling and holding an election shall be at the expense of the district, and the district shall reimburse the supervisor of elections for any expenses incurred in calling or holding such election.

(2) Subject to referendum approval, the district may pledge its full faith and credit for the payment of the principal and interest on such general obligation bonds and for any reserve funds provided therefor and may unconditionally and irrevocably pledge itself to levy ad valorem taxes on all taxable property in the district, to the extent necessary for the payment thereof.

(3) If the district board determines to issue general obligation bonds for more than one capital project, the approval of the issuance of the bonds for each and all such projects may be submitted to the electors on the same ballot. The failure of the electors to approve the issuance of bonds for any one or more capital projects shall not defeat the approval of bonds for any other capital project which has been approved on the same ballot by the electors.

h. LIMITATION ON ISSUANCE OF BONDS.—

(1) Ad valorem funding shall not be used to support the issuance of bonds, unless the bond issue has been approved by referendum.

i. ADDITIONAL AUTHORITY.—The district shall have the authority to determine whether to issue taxable or tax-exempt bonds under this section and whether the bonds are to bear interest at a fixed rate or a variable rate or rates, and the district shall have the authority to determine the security for the bonds, including any credit enhancements.

j. DEFAULT.—A default of any bonds or obligations of the district shall not constitute a debt or obligation of Marion County.

Section 26. Unit development; powers of supervisors to designate units of district; financing assessments for each unit.—The governing board of the Cold Springs Improvement District shall have the power and is hereby authorized in its discretion to designate areas or parts of said district as separate administrative and financial "units." Unit development shall be accomplished as a part of the development plan or as a plan amendment pursuant to sections 13-18. The units into which said district may be so divided shall be given appropriate numbers or names by the governing board so that the units may be readily identified and distinguished. The board shall have the power to fix and determine the location, area, and boundaries of the lands to be included in each and all such units, the type and amount of work needed therein, the order of development thereof, and the method of carrying on the work in each unit. The unit system provided by this section may be conducted, and all the proceedings by this section and this act authorized in respect to such unit or units may be carried on and conducted, at any time as the governing board in its discretion may determine to be appropriate. If the board shall determine it is advisable to implement the district infrastructure and service plans by units, as authorized by this section, the board shall, by resolution duly adopted and entered upon its minutes, declare its purpose to conduct such work accordingly, and shall at the same time and manner fix the number, location, and boundaries of and description of lands within such unit or units and give them appropriate numbers or names. All the provisions of this act shall apply within all of such units, and the enumeration of or reference to specific powers or duties of the supervisors, or any other officers or other matters in this act as herein-

above set forth, shall not limit or restrict the application of any and all of the proceedings and powers herein to such units. All assessments, levies, taxes, bonds, and other obligations made, levied, assessed, or issued for or in respect to any such unit or units shall be a lien and charge solely and only upon the lands in such unit or units, respectively, for the benefit of which the same shall be levied, made, or issued, and not upon the remaining units or lands in said district. The governing board may at any time amend its resolutions by changing the location and description of lands in any such unit or units; and provided, further, that if the location of or description of lands located in any such unit or units is so changed, proceedings shall be had and done in that regard as are provided in this section for the original creation of such unit or units. However, if after the approval of the engineer's report of benefits in such unit or units or the issuance of bonds or other obligations which are payable from taxes or assessments for benefits levied upon lands within such unit or units, the governing board finds the infrastructure or service plan for any such unit or units insufficient or inadequate for efficient development, the plan may be amended or changed and the unit or units may be amended or changed as provided in this section by changing the location and description of lands in any such unit or units, by detaching lands therefrom, or by adding lands thereto pursuant to sections 13-18. However, no change or amendment to a designated unit shall be authorized which has the effect of impairing a debt or other obligation of the unit or the district.

Section 27. Interlocal cooperation.—For purposes of implementing the powers and authority of the district and assuring adequate funding for the construction, maintenance, and operation of infrastructure, and to insure the security for any bonds issued by the Cold Springs Improvement District remains unimpaired, said district is empowered to enter into interlocal agreements pursuant to chapter 163, Florida Statutes, to exercise jointly with any other public agency of the state or Federal Government any power, privilege, or authority which such agencies or the district might exercise jointly.

Section 28. Property appraiser, tax collector, fees or commissions.—The Marion County Property Appraiser and Tax Collector shall be entitled to applicable fees, commissions, and costs for the levy and collection of ad valorem taxes and non-ad valorem assessments pursuant to sections 197.3632 and 192.091, Florida Statutes.

Section 29. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 30. This act shall take effect upon becoming law.

And the title is amended as follows:

In title, strike everything before the enacting clause and insert: A bill to be entitled An act relating to Marion County; creating the Cold Springs Improvement District; providing district boundaries; prescribing the purposes, powers, privileges, duties, liability, and officials; providing applicability of the provisions of ch. 189, F.S., to said district; providing for the appointment of the first governing board and the election of its future members; defining terms of office; prescribing duties, powers, and qualifications, and fixing compensation; providing for the annual landowner's meeting; providing for the levies of non-ad valorem assessments and ad valorem taxes upon the lands in said district and for the collection and enforcement thereof; providing that ad valorem taxes shall be a lien on lands in the district and providing for the collection and enforcement of district taxes at the same time and in the like manner as county taxes; providing that said taxes shall be extended by the county property appraiser on the county tax roll and shall be collected by the tax collector in the same manner and time as county taxes; providing for the same discounts and penalties as county taxes and providing for the compensation of the county property appraiser and tax collector; providing for the levy, collection and enforcement of non-ad valorem assessments pursuant to s. 197.3632, F.S.; providing non-ad valorem assessments shall be a lien on lands in the district; providing for the levy of a uniform acreage tax on lands in said district to be used for paying expenses in organizing said district; authorizing said district to borrow money and issue negotiable or nonnegotiable notes, bonds, and other evidences of indebtedness in order to better carry out the provisions of this act; providing for administrative unit designation; providing for reports; providing for interlocal cooperation; providing for expansion, merger, contraction, and dissolution; providing severability; providing for precedence over conflicting laws; providing an effective date.

On motion by Senator Kirkpatrick, by two-thirds vote **SB 3126** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37 Nays—None

HB 703—A bill to be entitled An act relating to the Solid Waste Authority of Palm Beach County; amending ch. 75-473, Laws of Florida, as amended; authorizing the authority to provide for an extra compensation program, including a lump-sum bonus payment program, to reward outstanding authority employees whose performances exceed standards; providing an effective date.

—was read the second time by title. On motion by Senator Wexler, by two-thirds vote **HB 703** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

HB 817—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; authorizing the City of Tampa to enter into a supplemental pension contract with certain firefighters and police officers to provide for additional benefits; authorizing the City of Tampa to enter into a pension contract with certain firefighters and police officers who become members of the City Pension Fund for Firefighters and Police Officers in the City of Tampa on or after October 16, 1992; providing for additional benefits for certain firefighters and police officers who have separated from service upon satisfying certain conditions; amending chapter 23559, Laws of Florida, 1945, as amended, relating to the General Employees' Pension Plan of the City of Tampa to provide for benefits to certain firefighters and police officers under said plan; confirming in part City of Tampa Ordinance No. 93-163; providing an effective date and providing for retroactive operation of certain provisions.

—was read the second time by title. On motion by Senator Beard, by two-thirds vote **HB 817** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

HB 1543—A bill to be entitled An act relating to Collier County; amending chapter 71-409, Laws of Florida; designating and naming county road 851 running North from state road 90 (US 41) to county road 846 (Immokalee Road) as Goodlette-Frank Road; providing an effective date.

—was read the second time by title. On motion by Senator Dudley, by two-thirds vote **HB 1543** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SPECIAL ORDER

THE PRESIDENT PRESIDING

CS for CS for SB 1332—A bill to be entitled An act relating to inmate health care; requiring an inmate who initiates a nonemergency visit to a health care provider to make a copayment; providing procedures; providing exceptions; prescribing duties of the Department of Corrections; allowing the department to waive all or part of the copayment in specified circumstances; providing for the deposit of the proceeds from such copayments into the General Revenue Fund; providing for supplemental payments for specified purposes; providing for the deposit of proceeds from such supplemental copayments into the General Revenue Fund; prohibiting the denial of health care in specified circumstances; prohibiting preferential access to health care in specified circumstances requiring appropriations from the Inmate Welfare Trust Fund and prescribing responsibilities for managing the medical copayment system; providing an effective date.

—was read the second time by title. On motion by Senator Grogan, by two-thirds vote **CS for CS for SB 1332** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—2

SB 2184—A bill to be entitled An act relating to education; amending ss. 228.086, 228.087, 229.053, 231.17, 232.2465, 236.091, 240.402, 240.4025, 240.404, 240.4085, 240.4093, 240.412, 240.413, 240.472, 240.60, 240.604, 240.606, 246.013, 246.041, 246.085, 246.121, 460.406, 463.006, 467.009, 468.1155, 468.1215, 468.509, 486.031, 486.102, 490.005, 491.005, 817.567, F.S.; changing the name of the Council on Postsecondary Accreditation; providing an effective date.

—was read the second time by title.

Senator Childers moved the following amendment:

Amendment 1—On page 14, between lines 2 and 3, insert:

Section 15. Subsection (1) of section 240.60, Florida Statutes, is amended to read:

240.60 College career work experience program.—

(1) There is established the college career work experience program, to be administered by the Department of Education. The purpose of the program is to introduce eligible students to work experience in their declared major areas of study or areas of career interest. Such program shall be available to:

(a) Any student attending a state university or community college authorized by Florida law; or

(b) Any student attending a nonprofit Florida college or university which is accredited by a member of the *Commission on Recognition of Council on Postsecondary Accreditation*, the credits of which are acceptable, without qualification, for transfer to a state university; which grants baccalaureate or associate degrees; which is not a pervasively sectarian institution; and which is located in and chartered by the state.

Section 16. Subsection (2) of section 240.604, Florida Statutes, is amended to read:

240.604 Public school work experience program.—

(2) Students who participate in the public school work experience program shall serve in public elementary or secondary schools, developmental research schools, or the Florida School for the Deaf and the Blind as science laboratory assistants or teacher aides; in adult basic skills education programs conducted by a local educational agency, as defined in s. 239.105, as reading tutors of adults lacking basic or functional literacy skills, as defined in s. 239.105; or in public postsecondary schools as mentors who tutor and counsel educationally disadvantaged freshmen. The program is available to:

(a) Any student who is attending a state university or community college authorized by Florida law; or

(b) Any student who is attending a nonprofit college or university in this state which is accredited by a member of the *Commission on Recognition of Council on Postsecondary Accreditation* and the credits of which college or university are acceptable, without qualification, for transfer to a state university; which grants baccalaureate or associate degrees; which is not a pervasively sectarian institution; and which is located in and chartered by the state.

(Renumber subsequent sections.)

Senator Childers moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A—On page 1, line 25, after "Recognition" insert: of

Amendment 1 as amended was adopted.

On motion by Senator Childers, by two-thirds vote **SB 2184** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37 Nays—None

SENATOR BOCZAR PRESIDING

CS for SB 2998—A bill to be entitled An act relating to state planning and budgeting; amending s. 186.002, F.S.; providing legislative findings and intent; amending s. 186.003, F.S.; amending definitions relating to ss. 186.001-186.031 and 186.801-186.911, F.S.; including the judicial branch in state planning; amending s. 186.004, F.S.; revising duties of the Governor as chief planning officer of the state; amending s. 186.007, F.S.; changing the term "state comprehensive plan" to "state plan" and revising duties of the Executive Office of the Governor with respect to that plan; amending s. 186.008, F.S.; providing for revision of the state plan; amending s. 186.009, F.S.; providing for the growth management portion of the state plan; amending s. 186.021, F.S.; prescribing intent for the content and consequence of state agency and judicial branch strategic plans; amending s. 186.022, F.S.; providing for preparation, form, and review of strategic plans; amending s. 186.031, F.S.; revising requirements for the Governor's annual report; amending s. 187.101, F.S.; providing that the state plan does not confer any right, service, or privilege to which a person or entity is not otherwise entitled; amending s. 216.031, F.S.; requiring legislative budget requests to contain performance and productivity indicators; amending s. 216.052, F.S.; requiring legislative budget requests to be submitted to appropriations committees along with strategic plans; amending s. 216.163, F.S.; requiring the Governor's recommended budget to contain recommended performance standards for programs in agency and judicial branch budget requests; creating s. 216.1811, F.S.; providing for development by the Governor and the Chief Justice of quality management and accountability plans; repealing s. 216.136(10), F.S., relating to the Occupational Forecasting Conference; providing an effective date.

—was read the second time by title.

Senator Jenne moved the following amendment:

Amendment 1 (with Title Amendment)—Strike everything after the enacting clause and insert:

Section 1. Section 186.002, Florida Statutes, is amended to read:

186.002 Findings and intent.—

(1) The Legislature finds and declares that:

(a) The issues of public safety, education, health care, community and economic development and redevelopment, protection and conservation of natural and historic resources, transportation, and public facilities transcend the boundaries and responsibilities of individual units of government, and often no single unit of government can plan or implement policies to deal with these issues without affecting other units of government.

(b) Coordination among all levels of government is necessary to ensure effective and efficient delivery of governmental services to all the citizens of the state. It is therefore necessary to establish an integrated planning system and to ensure coordinated administration of government policies that address the multitude of issues confronting the state posed by the state's continued growth and development.

(c) To promote intergovernmental coordination and the effective allocation of resources, the state should set goals and policies and identify benchmarks to provide direction and guidance for state, regional, and local governments and agencies in the development and implementation of their respective plans, programs, and services. The preservation and enhancement of the quality of life of the people of this state require that a state comprehensive plan be adopted by the Legislature to provide policy guidance direction for all state and regional agencies and local governments.

(d) Regular evaluation of the state comprehensive plan is necessary to assess the state's progress toward achieving the goals contained in the plan, and to inform the public about the state's progress in addressing the issues of public safety, education, health care, community and economic development and redevelopment, protection and conservation of natural and historic resources, transportation, and public facilities whether state goals are being attained. To accomplish these purposes this purpose, the state comprehensive plan should be evaluated biennially using the benchmarks identified in the plan as well as other trends and conditions of the state with any necessary revisions prepared through coordinated action by state and regional agencies and local governments.

(2) It is the intent of the Legislature that:

(a) The state planning process shall provide guidance direction for delivering the delivery of governmental services, a means for defining and achieving the specific goals of the state, and a method for evaluating the accomplishment of those goals.

~~(b) The state comprehensive plan shall provide basic policy direction to all levels of government regarding the orderly social, economic, and physical growth of the state.~~

(b)(e) State agency strategic plans shall be effectively coordinated to ensure the establishment of appropriate agency priorities and to facilitate the orderly, positive management of agency activities consistent with the public interest. It is also intended that the implementation of state and regional plans enhance the quality of life of the citizens of the state.

(c)(d) The state planning process shall be informed and guided by the experience of public officials at all levels of government. In preparing any plans or proposed revisions or amendments required by this chapter, the Governor shall consider the experience of and information provided by local governments in their evaluation and appraisal reports pursuant to s. 163.3191.

(d)(e) All agencies and levels of government involved in the integrated planning process shall provide sufficient opportunities for meaningful public participation in the preparation, implementation, evaluation, and revision of all plans and programs.

Section 2. Section 186.003, Florida Statutes, is amended to read:

186.003 Definitions.—As used in ss. 186.001-186.031 and 186.801-186.911, the term:

(1) "Benchmark" means a high-level indicator that focuses on state-wide outcomes and results using baseline data that define the state's current status. Benchmarks shall be used to assess the state's performance toward achieving the goals set in the state plan and may be used to compare the state's performance with national performance levels or performance levels of other states.

(2)(1) "Executive Office of the Governor" means the Office of Planning and Budgeting of the Executive Office of the Governor.

(3)(2) "Goal" means the long-term end toward which programs and activities are ultimately directed.

(4) "Judicial branch" means all officers, employees, and offices of the Supreme Court, district courts of appeal, circuit courts, county courts, the Justice Data Center, and the Judicial Qualifications Commission.

(5)(3) "Objective" means a specific, measurable, intermediate end that is achievable and marks progress toward a goal.

(6)(4) "Policy" means the way in which programs and activities are conducted to achieve an identified goal.

(7)(5) "Regional planning agency" means the regional planning council created pursuant to ss. 186.501-186.515 to exercise responsibilities under ss. 186.001-186.031 and 186.801-186.911 in a particular region of the state.

(8)(6) "State agency" or "agency" means each executive department, the Game and Fresh Water Fish Commission, the Parole Commission, and the Department of Military Affairs, and includes state attorneys, public defenders, the Capital Collateral Representative, and the Justice Administrative Commission. The term does not include the judicial branch.

~~(7) "State agency strategic plan" means the statement of priority directions that an agency will take to carry out its mission within the context of the state comprehensive plan and within the context of any other statutory mandates and authorizations given to the agency, pursuant to ss. 186.021-186.022.~~

(9)(8) "State comprehensive plan" means the state planning document required in Article III, s. 19 of the State Constitution and published as ss. 187.101 and 187.201 goals and policies contained within the state comprehensive plan initially prepared by the Executive Office of the Governor and adopted pursuant to s. 186.008.

(10)(9) "Statewide Health Council" means the Statewide Health Council established pursuant to s. 381.703.

(11) "Strategic plan" means the statement of priority directions that a state agency or the judicial branch will take to carry out its mission within the context of the state plan and any other constitutional or statutory mandate or authorization given to the agency or judicial branch, pursuant to ss. 186.021-186.022.

Section 3. Section 186.004, Florida Statutes, is amended to read:

186.004 Governor; chief planning officer of the state.—The Governor is the chief planning officer of the state and shall conduct a biennial review of, and recommend revisions to revision of the state comprehensive plan.

Section 4. Section 186.007, Florida Statutes, is amended to read:

186.007 State comprehensive plan; preparation; revision.—

(1) The Executive Office of the Governor shall prepare a proposed state comprehensive plan that which provides long-range guidance for the orderly social, economic, and physical growth of the state. The plan shall be composed of benchmarks, goals, objectives, and policies that are briefly stated in plain, easily understandable words and that give specific policy guidance direction to state and regional agencies. The benchmarks, goals, objectives, and policies shall be statewide in scope and shall be consistent and compatible with one another each other. The state comprehensive plan shall not include a land use map.

(2) In preparing the proposed benchmarks, goals, objectives, and policies of the state comprehensive plan, the Executive Office of the Governor shall analyze the problems, opportunities, and needs associated with growth and development in this state, particularly those problems, opportunities, and needs related to land use, water resources, and transportation system development. The Executive Office of the Governor shall document present conditions and trends, forecast future conditions and trends based on expected growth patterns, and identify needs. Such conditions, trends, and needs shall be used to prepare benchmarks, goals, objectives, and policies designed to preserve and enhance the quality of life of the citizens of this state.

(3) In the proposed state comprehensive plan, the Executive Office of the Governor may include benchmarks, goals, objectives, and policies related to the following program areas: economic opportunities; agriculture; employment; public safety; education; health concerns; social welfare concerns; housing and community development; natural resources and environmental management; recreational and cultural opportunities; historic preservation; transportation; and governmental direction and support services.

(4)(a) The Executive Office of the Governor shall prepare statewide benchmarks, goals, objectives, and policies related to the opportunities, problems, and needs associated with growth and development in this state, which proposed benchmarks, goals, objectives, and policies shall constitute the growth management portion of the state comprehensive plan. In preparing the growth management benchmarks, goals, objectives, and policies, the Executive Office of the Governor initially shall emphasize the management of land use, water resources, and transportation system development.

(b) The purpose of the growth management portion of the state comprehensive plan is to establish clear, concise, and direct benchmarks, goals, objectives, and policies related to land development, water resources, transportation, and related topics. In doing so, the plan should, where possible, draw upon the work that agencies have invested in the state land development plan, the Florida Transportation Plan, the state water use plan, and similar planning documents.

(5)(a) The Executive Office of the Governor shall prepare a separate portion of the state comprehensive plan related to the long-term infrastructure and capital outlay needs of the state. This portion shall be prepared based upon a comprehensive assessment of needs conducted by the Executive Office of the Governor, and it shall be updated annually as part of the budgeting process prescribed by chapter 216. The assessment shall provide estimates by area of the future infrastructure needs of the state that result from expected growth patterns and shall include recommendations for directing state expenditures to particular areas of the state in order to implement the growth management goals, objectives, and policies of the state comprehensive plan.

(b) All capital outlay recommendations submitted to the Legislature in the Governor's budget request must be consistent with the goals, objectives, and policies of the state comprehensive plan and the long-term infrastructure and capital outlay portion when adopted.

(c) Notwithstanding the provisions of ss. 186.001-186.031 and 186.801-186.911, the Executive Office of the Governor shall prepare the long-term infrastructure and capital outlay portion of the state comprehensive plan no later than July 1, 1996.

(5)(6) The adopted state comprehensive plan shall provide, in addition to other criteria established by law, standards and criteria for the review and approval of state agency strategic plans and strategic regional policy plans.

(6)(7) In preparing and revising the state comprehensive plan, the Executive Office of the Governor shall, to the extent feasible, consider studies, reports, and plans of each department, agency, and institution of state and local government, each regional planning agency, and the Federal Government and shall take into account the existing and prospective resources, capabilities, and needs of state and local levels of government.

(7)(8) The revision of the state comprehensive plan is a continuing process. Each section of the plan shall be reviewed and analyzed biennially by the Executive Office of the Governor in conjunction with the planning officers of other state agencies and the judicial branch significantly affected by the provisions of the particular section under review. In conducting this review and analysis, the Executive Office of the Governor shall review and consider, with the assistance of the state land planning agency, the evaluation and appraisal reports submitted pursuant to s. 163.3191. Any necessary revisions of the state comprehensive plan shall be proposed by the Governor in a written report and be accompanied by an explanation of the need for such changes. If the Governor determines that changes are unnecessary, the written report must explain why changes are unnecessary. The proposed revisions and accompanying explanations may be submitted in the report required by s. 186.031. Any proposed revisions to the plan shall be submitted to the Legislature as provided in s. 186.008(2) at least 30 days prior to the regular legislative session occurring in each even-numbered year.

Section 5. Section 186.008, Florida Statutes, is amended to read:

186.008 State comprehensive plan; revision; implementation.—

(1) On or before October 1 of every odd-numbered year beginning in 1995, the Executive Office of the Governor shall prepare, and the Governor shall recommend to the Administration Commission, any proposed revisions to the state comprehensive plan deemed necessary. The Governor shall transmit his recommendations and explanation as required by s. 186.007(8). Copies shall also be provided to each state agency, to the judicial branch, to each regional planning agency, to any other unit of government that requests a copy, and to any member of the public who requests a copy.

(2) On or before December 15 of every odd-numbered year beginning in 1995, the Administration Commission shall review the proposed revisions to the state comprehensive plan prepared by the Governor. The commission shall adopt a resolution, after public notice and a reasonable opportunity for public comment, and transmit the proposed revisions to the state comprehensive plan to the Legislature, together with any amendments approved by the commission and any dissenting reports. The commission shall identify those portions of the plan that are not based on existing law.

(3) All amendments, revisions, or updates to the plan shall be adopted by the Legislature as a general law.

(4) The state comprehensive plan shall be implemented and enforced by all state agencies and the judicial branch consistent with their lawful responsibilities whether it is put in force by law or by administrative rule. The Governor, as chief planning officer of the state, shall oversee the implementation process.

(5) All state agency and judicial branch budgets and programs shall be consistent with the adopted state comprehensive plan and shall support and further its goals and policies.

(6) The Florida Public Service Commission, in approving the plans of utilities subject to its regulation, shall take into consideration the compatibility of the plan of each utility and all related utility plans taken together with the adopted state comprehensive plan.

Section 6. Section 186.009, Florida Statutes, is amended to read:

186.009 Growth management portion of the state ~~comprehensive~~ plan.—

(1) The Executive Office of the Governor shall prepare the proposed growth management portion of the state ~~comprehensive~~ plan in coordination with the Legislature, appropriate state agencies, regional entities, local governments, and citizens. The proposed growth management portion of the state ~~comprehensive~~ plan shall not be based upon the ~~comprehensive~~ format of the state ~~comprehensive~~ plan but shall be strategic in nature.

(2) The growth management portion of the state ~~comprehensive~~ plan shall:

(a) Provide strategic guidance for state, regional, and local actions necessary to implement the state ~~comprehensive~~ plan with regard to the physical growth and development of the state.

(b) Identify metropolitan and urban growth centers.

(c) Identify areas of state and regional environmental significance and establish strategies to protect them.

(d) Set forth and integrate state policy for Florida's future growth as it relates to land development, air quality, transportation, and water resources.

(e) Provide guidelines for determining where urban growth is appropriate and should be encouraged.

(f) Provide guidelines for state transportation corridors, public transportation corridors, new interchanges on limited access facilities, and new airports of regional or state significance.

(g) Promote land acquisition programs to provide for natural resource protection, open space needs, urban recreational opportunities, and water access.

(h) Set forth policies to establish state and regional solutions to the need for affordable housing.

(i) Provide coordinated state planning of road, rail, and waterborne transportation facilities designed to take the needs of agriculture into consideration and to provide for the transportation of agricultural products and supplies.

(j) Establish priorities regarding coastal planning and resource management.

(k) Provide a statewide policy to enhance the multiuse waterfront development of existing deepwater ports, ensuring that priority is given to water-dependent land uses.

(l) Set forth other ~~benchmarks~~, goals, objectives, and policies related to the state's natural and built environment that are necessary to effectuate those portions of the state ~~comprehensive~~ plan which are related to physical growth and development.

(m) Set forth recommendations on when and to what degree local government comprehensive plans must be consistent with the proposed growth management portion of the state ~~comprehensive~~ plan.

(n) Set forth recommendations on how to integrate the state water use plan required by s. 373.036, the state land development plan required by s. 380.031(17), and transportation plans required by chapter 339.

(o) Set forth recommendations concerning what degree of consistency is appropriate for the strategic regional policy plans.

The growth management portion of the state ~~comprehensive~~ plan shall not include a land use map.

~~(3)(a) On or before October 15, 1993, the Executive Office of the Governor shall prepare, and the Governor shall recommend to the Administration Commission, the proposed growth management portion of the state comprehensive plan. Copies shall also be provided to each state agency, to each regional planning agency, to any other unit of government that requests a copy, and to any member of the public who requests a copy.~~

~~(b) On or before December 1, 1993, the Administration Commission shall review the proposed growth management portion of the state com-~~

~~prehensive plan prepared by the Governor. The commission shall adopt a resolution, after public notice and a reasonable opportunity for public comment, and transmit the proposed growth management portion of the state comprehensive plan to the Legislature, together with any amendments approved by the commission and any dissenting reports. The commission shall identify those portions of the plan that are not based on existing law.~~

(a)(e) The growth management portion of the state ~~comprehensive~~ plan, and all amendments, revisions, or updates to the plan, shall have legal effect only upon adoption by the Legislature as general law. The Legislature shall indicate, in adopting the growth management portion of the state ~~comprehensive~~ plan, which plans, activities, and permits must be consistent with the growth management portion of the state ~~comprehensive~~ plan.

(b)(d) The Executive Office of the Governor shall evaluate and the Governor shall propose any necessary revisions to the adopted growth management portion of the state ~~comprehensive~~ plan in conjunction with the process for evaluating and proposing revisions to the state ~~comprehensive~~ plan.

Section 7. Section 186.021, Florida Statutes, is amended to read:

186.021 State agency Strategic plans.—

(1) A state agency strategic plan shall be a statement of the priority directions an agency or the judicial branch will take to carry out its mission within the context of the *State Constitution*, the state ~~comprehensive~~ plan, and any other statutory mandate or authorization mandates and authorizations given to the agency. Each state agency strategic plan must identify infrastructure and capital improvement needs associated with agency or judicial branch programs, and must include ~~shall specify~~ those objectives by against which to measure will be judged the agency's or judicial branch's progress in achieving their achievement of its goals and the goals of the state ~~comprehensive~~ plan. The state agency strategic plan shall be consistent with and shall further the goals of the state ~~comprehensive~~ plan. Each strategic plan must identify any conflict with existing law that may occur as a result of pursuing the implementation of any element of the state plan.

(2) A state agency strategic plan shall be developed with a 5-year outlook and shall provide the strategic framework within which an agency's or the judicial branch's legislative budget request and the agency Strategic Information Resource Management Plan are developed. The An agency's budget request and its Strategic Information Resource Management Plan shall be designed to further the agency's or judicial branch's strategic plan.

(3) All amendments, revisions, or updates to a state agency strategic plan shall be prepared in the same manner as the original and shall be prepared as needed because of changes in the state ~~comprehensive~~ plan, the *Constitution*, or, with respect to an agency, changes in the statutory authority and responsibility of the agency.

(4) Neither this section nor s. 186.009 limit the authority of the Department of Transportation to separately produce a state long-range transportation plan to comply with the requirements of federal law. The Department of Environmental Protection Regulation, with regard to the plan required by s. 373.036, and the state land planning agency, with regard to the plan defined in s. 380.031(17), and the Information Resource Commission, with regard to the plan defined in s. 282.3061, shall prepare revisions to these such plans no later than 6 months after the adoption of revisions to the growth management portion of the state ~~comprehensive~~ plan or by June 1 of each even-numbered year, whichever is later.

Section 8. Section 186.022, Florida Statutes, is amended to read:

186.022 State agency Strategic plans; preparation, form, and review.—

(1)(a) ~~Three Beginning in 1992, 3 months before prior to the annual submission of its final agency legislative budget request pursuant to s. 216.023(1), each state agency, except as provided in s. 186.021(4), shall prepare and submit a proposed its agency strategic plan to the Executive Office of the Governor and the chairs of the legislative committees with jurisdiction over those agencies. For the purpose of this chapter, the state attorneys, the public defenders, the Capital Collateral Representative, and the Justice Administrative Commission constitute a single agency, and the Justice Administrative Commission shall coordinate the preparation of their strategic plan.~~

(b) *Beginning in 1995, 3 months before the submission of its final legislative budget request pursuant to s. 216.023(2), the judicial branch shall provide a copy of its preliminary strategic plan to the Executive Office of the Governor for informational purposes only, and to each legislative committee having a significant responsibility for judicial branch activities. Upon request of the Chief Justice, the Executive Office of the Governor shall provide a copy of any agency's strategic plan to the Chief Justice for informational purposes only.*

(c) *Before ~~Prior~~ to the submission of the ~~its~~ agency strategic plan to the Governor, each agency shall hold public workshops concerning the proposed agency strategic plan, and shall allow at least a 21-day period for public comment. Three months before the submission of its final legislative budget request under s. 216.023(2), the judicial branch shall hold public workshops concerning the proposed strategic plan and shall allow at least a 21-day period for public comment. At a minimum, adequate public notice must be assured by publication of notice of the hearing and comment period in the Florida Administrative Weekly. Public participation must be further encouraged through the publication of procedures and instructions.*

(2) Each ~~agency~~ strategic plan must be in a form and manner prescribed in written instructions ~~developed prepared~~ by the Executive Office of the Governor after consultation with the ~~chairs of the legislative appropriations committees and, for the purposes of the judicial branch, with the Chief Justice President of the Senate and the Speaker of the House of Representatives.~~ Each strategic plan must include a prioritized listing of planned expenditures to be reduced in the event of budget deficits, as provided for in s. 216.221. Each ~~agency~~ strategic plan must identify the specific constitutional or legislative authority necessary to implement the provisions of the plan. An agency and the judicial branch may implement only ~~implement~~ those portions of its strategic plan that are consistent with existing statutory or constitutional authority and for which funding, if needed, is available consistent with the provisions of chapter 216. *The major issues addressed in strategic plans shall be presented in a manner prescribed by the written instructions which allows for comparison with the major issues contained in agency and judicial branch legislative budget requests and in the Governor's recommended budget. The legislative budget requests prepared by agencies and the judicial branch. An agency's budget request prescribed in s. 216.023(1) and (2) shall identify the financial resources necessary to further the provisions of the respective agency's strategic plans plan.*

(3) The Executive Office of the Governor shall review the state agency strategic plans to ensure that they are consistent with the state ~~comprehensive~~ plan and other requirements as specified in the written instructions. In its review, the Executive Office of the Governor shall consider all comments received in formulating required revisions, *including. This shall include the findings of the Statewide Health Council's review of the consistency of the health components of agency strategic plans with the health element of the state comprehensive plan. Within 60 days, reviewed plans shall be returned to the agency, together with any required revisions.*

(4) *Each* The state agency shall, within 30 days ~~after~~ of the return of its state ~~agency~~ strategic plan, incorporate all revisions required by the Executive Office of the Governor, or shall petition the Administration Commission to resolve any disputes regarding the consistency of the state ~~agency~~ strategic plan or the revisions recommended by the Executive Office of the Governor ~~with the state comprehensive plan or the written instructions.~~ The Administration Commission shall resolve any ~~dispute~~ disputes within 60 days ~~after receipt of a~~ of the petition.

(5) Any differences ~~among~~ between state agencies regarding the programs, policies, or strategic plans of the ~~such~~ agencies shall be mediated by the Executive Office of the Governor.

(6) Each state agency and the judicial branch shall transmit copies of their ~~final~~ ~~its~~ strategic plans ~~plan~~ and all written comments on the plans ~~its plan~~ to the Governor, the President of the Senate, and the Speaker of the House of Representatives, the minority leader of the Senate, the minority leader of the House of Representatives, the chairs of the substantive committees and legislative appropriations committees, and the Auditor General not later than 30 days ~~before~~ prior to the next regular session of the Legislature.

(7) Agency Strategic plans developed pursuant to this chapter are not rules and therefore are not subject to the provisions of chapter 120.

(8) Each agency and the judicial branch shall submit by September 1 of each year an annual performance report to the Executive Office of the Governor, ~~with copies to the President of the Senate, the Speaker of the House of Representatives, and the Auditor General.~~ The purpose of this report is to evaluate the attainment of the agency objectives *stated* in the agency strategic plan.

Section 9. Section 186.031, Florida Statutes, is amended to read:

186.031 *Biennial Annual* report.—The Governor as the chief planning and budget officer of the state shall ~~biennially~~ ~~annually~~ report to the Legislature and the public on *progress in achieving the goals contained in the state plan the economic conditions of the state, the infrastructure and capital outlay needs of the state, and the impacts of growth and development and shall assess state, regional, and local government efforts in addressing such conditions, needs, and impacts. The report shall appraise current growth trends, shall evaluate the extent to which existing growth management policies effectively address such trends, and shall review such other factors and indicators as are appropriate.* The report shall contain timely and authoritative data and information about *existing and future* economic and demographic growth patterns and an analysis of such information as it affects the goals and policies of the state ~~for growth and development.~~ The report shall contain specific recommendations for any legislative and administrative changes needed to continue to *meet the goals of the state and shall recommend any revisions to manage growth effectively and to build upon the opportunities available. The report shall be related to, and developed in conjunction with, the regular updates of the state comprehensive plan.*

Section 10. Section 187.101, Florida Statutes, is amended to read:

187.101 Description of plan; legislative intent; construction and application of plan.—

(1) The state ~~Comprehensive~~ plan shall provide long-range policy guidance for the orderly social, economic, and physical growth of the state. It shall be reviewed biennially by the Legislature, and implementation of its policies shall require legislative action unless otherwise specifically authorized by the constitution or by law.

(2) The state ~~Comprehensive~~ plan ~~is intended to be a direction-setting document. Its policies may be implemented only to the extent that financial resources are provided pursuant to legislative appropriation or grants or appropriations of any other public or private entities. The plan does not create regulatory authority or authorize the adoption of agency rules, criteria, or standards not otherwise authorized by law. The plan does not entitle any person or entity to any right, service, or privilege it is not otherwise entitled to in law. The benchmarks, goals, and policies contained in the state plan do not supersede policies established in existing laws. Benchmarks, goals, and policies that are not included in the state plan shall not be considered to be inappropriate public policy solely on the basis of their exclusion from the plan.~~

(3) The goals and policies contained in the state ~~Comprehensive~~ plan shall be reasonably applied where they are economically and environmentally feasible, not contrary to the public interest, and consistent with the protection of private property rights. The plan shall be construed and applied as a whole, and no specific goal or policy in the plan shall be construed or applied in isolation from the other goals and policies in the plan.

Section 11. Subsection (2) of section 216.052, Florida Statutes, is amended to read:

216.052 Legislative budget requests; appropriations; grants.—

(2) In order to ensure an integrated state planning and budgeting process, *each state agency and the judicial branch shall submit the strategic plans required by s. 186.022 and their legislative budget requests to the appropriations committees of both houses of the Legislature for their review and consideration in the process of developing their appropriations bills or related legislative proposals the strategic plan should be reviewed by the Legislature.*

Section 12. This act shall take effect upon becoming a law.

And the title is amended as follows:

In title, strike everything before the enacting clause and insert: A bill to be entitled An act relating to state planning and budgeting; amending s. 186.002, F.S.; providing legislative findings and intent; amending s.

186.003, F.S.; amending definitions relating to ss. 186.001-186.031 and 186.801-186.911, F.S.; including the judicial branch in state planning; amending s. 186.004, F.S.; revising duties of the Governor as chief planning officer of the state; amending s. 186.007, F.S.; changing the term "state comprehensive plan" to "state plan" and revising duties of the Executive Office of the Governor with respect to that plan; amending s. 186.008, F.S.; providing for revision of the state plan; amending s. 186.009, F.S.; providing for the growth management portion of the state plan; amending s. 186.021, F.S.; prescribing intent for the content and consequence of state agency and judicial branch strategic plans; amending s. 186.022, F.S.; providing for preparation, form, and review of strategic plans; amending s. 186.031, F.S.; revising requirements for the Governor's annual report; amending s. 187.101, F.S.; providing that the state plan does not confer any right, service, or privilege to which a person or entity is not otherwise entitled; amending s. 216.052, F.S.; requiring legislative budget requests to be submitted to appropriations committees along with strategic plans; providing an effective date.

Senator Crenshaw moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A—On page 16, strike all of lines 6 and 7 and insert: strategic plan to the Governor, each agency shall hold *independent* public workshops *concerning its* ~~on the~~ proposed agency strategic plan,

Amendment 1 as amended was adopted.

On motion by Senator Jenne, by two-thirds vote **CS for SB 2998** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37 Nays—None

Consideration of **SB 1254** was deferred.

THE PRESIDENT PRESIDING

CS for SB 1440—A bill to be entitled An act relating to administrative rules; amending s. 11.60, F.S.; requiring reports of the Administrative Procedures Committee to contain certain information; prescribing duties of the committee to continuously review the administrative rulemaking process; amending s. 120.51, F.S.; prescribing requirements that must be considered before an agency may be given rulemaking power by the Legislature; amending s. 120.52, F.S.; redefining the term "invalid exercise of delegated legislative authority," for purposes of the Administrative Procedure Act; amending s. 120.535, F.S.; prescribing authority of the Administrative Procedures Committee to seek an administrative determination that an agency statement violates the requirement that rulemaking be feasible and practicable; creating s. 120.534, F.S.; describing rulemaking authority that must be granted before an agency may adopt a rule; providing for repeal of rules that were adopted in excess of rulemaking authority as limited in this act; amending s. 120.54, F.S.; requiring additional information to be given in notices of proposed rules; providing for agencies to prepare rule development statements and prescribing the content of such statements; revising provisions on who may challenge a proposed rule and when a challenge must be filed; revising limits on when a rule may be filed for adoption; requiring filing of additional materials; providing for notice when a rule to be adopted is unchanged from the rule as previously filed; requiring additional information to be included with that certified when a rule is filed; providing for the Department of State to reject certain rules; amending s. 120.545, F.S.; prescribing procedures when the Administrative Procedures Committee objects to a rule; creating the Florida Administrative Law Revision Council and prescribing its membership and duties; providing an appropriation; providing an effective date.

—was read the second time by title.

Senator Williams moved the following amendment:

Amendment 1—On page 29, lines 20-31; on page 30, lines 1-31; on page 31, lines 1-31; and on page 32, lines 1-12, strike all of said lines and insert:

Section 8. Prior to October 1, 1996, the Legislature shall review chapter 120, Florida Statutes, to consider changes to that chapter based on the following factors:

- (1) An administrative process that is not overly complex or burdensome;
- (2) An administrative process that provides easy access to the process for parties affected by agency action;
- (3) An administrative process that is not costly to participate in;
- (4) An administrative process that gives equal consideration to the position of the affected party and the agency; and
- (5) Any other factor that the Legislature deems appropriate based on the Legislature's examination of the chapter or based on comments or recommendations made by any public official, organization, or person.

On motion by Senator Williams, further consideration of **CS for SB 1440** with pending **Amendment 1** was deferred.

SENATOR BROWN-WAITE PRESIDING

SB 1254—A bill to be entitled An act relating to changes of name; amending s. 68.07, F.S.; requiring court clerks to notify law enforcement agencies of a final judgment entered to change the name of a convicted felon; providing an effective date.

—was read the second time by title. On motion by Senator McKay, by two-thirds vote **SB 1254** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40 Nays—None

SB 1546—A bill to be entitled An act relating to the executive branch of government; amending s. 20.02, F.S.; limiting the number of departments that may be established by law; amending s. 20.03, F.S.; modifying definitions of terms relating to the structure of the executive branch; amending ss. 20.04, 20.05, F.S.; adding definitions; removing obsolete provisions; requiring the Executive Office of the Governor to keep certain organizational charts; transferring provisions pertaining to the Governor's appointment of the Lieutenant Governor as the head of a department; revising provisions regarding the powers and duties of department heads; requiring that executive directors of departments headed by the Governor and Cabinet be confirmed by the Senate; specifying that secretaries appointed by the Governor to serve as heads of departments be confirmed by the Senate; creating s. 20.051, F.S.; providing criteria for reviews of programs, functions, and entities of the executive branch; creating s. 20.052, F.S.; providing procedures regarding the creation of advisory bodies, commissions, and boards of trustees; providing for senate confirmation of members of commissions and boards of trustees; amending s. 20.06, F.S.; revising provisions pertaining to transfer types for reorganization of agencies; amending s. 20.21, F.S.; providing for the appointment of an executive director; providing for senate confirmation; amending s. 20.24, F.S.; providing for the appointment of an executive director; providing for senate confirmation; amending s. 20.41, F.S.; providing that the Secretary of the Department of Elderly Affairs be confirmed by the Senate; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations recommended the following amendments which were moved by Senator Boczar and adopted:

Amendment 1 (with Title Amendment)—On page 10, strike all of lines 10-12 and renumber subsequent subsections.

And the title is amended as follows:

In title, on page 1, strike all of lines 16-18 and insert: heads; specifying that

Amendment 2 (with Title Amendment)—On page 18, lines 15-31 and on page 19, lines 1-3, strike all of said lines

And the title is amended as follows:

In title, on page 1, lines 30 and 31 and on page 2, lines 1-4, strike all of said lines and insert: types for reorganization of agencies;

Senator Boczar moved the following amendment which was adopted:

Amendment 3 (with Title Amendment)—On page 19, strike line 18 and insert:

Section 13. Nothing in section 11 of this act shall apply to transfers made by laws enacted prior to the effective date of this act.

Section 14. This act shall take effect October 1, 1994.

And the title is amended as follows:

In title, on page 2, line 7, after the semicolon (;) insert: providing an exception from the provisions of section 11 of this act in specified circumstances;

Senator Dyer moved the following amendment:

Amendment 4 (with Title Amendment)—On page 14, line 20, insert:

Section 7. Section 20.055, Florida Statutes, is amended to read:

20.055 Agency inspector general ~~chief internal auditors.~~

(1) For the purposes of this section:

(a) "State agency" means each department created pursuant to chapter 20, and also includes the Executive Office of the Governor, the Department of Military Affairs, the Parole Commission, *each water management district*, the Board of Regents, the Game and Fresh Water Fish Commission, the Public Service Commission, and the state courts system.

(b) "Agency head" means the Governor, a Cabinet officer, a secretary as defined in s. 20.03(5), or an executive director as defined in s. 20.03(6). It also includes the chairman of the Public Service Commission, *the governing board of each water management district*, and the Chief Justice of the State Supreme Court.

~~(c) "Chief internal auditor" means the person appointed by the agency head to direct the internal audit function for the state agency.~~

(2) *The office of inspector general is established in each state agency to provide a central point for coordination and responsibility for activities that promote accountability, integrity, and efficiency in government. It is the duty and responsibility of each inspector general, with respect to the state agency in which the office is established, to:*

(a) *Advise in the development of performance measures, standards, and procedures for the evaluation of state agency programs.*

(b) *Assess the reliability and validity of the information provided by the state agency on performance measures and standards and make recommendations for improvement, if necessary.*

(c) *Review the actions taken by the state agency to improve program performance and meet program standards and make recommendations for improvement, if necessary.*

(d) *Provide direction for, supervise, and coordinate audits, investigations, and management reviews relating to the programs and operations of the state agency, except that when the inspector general does not possess the qualifications described in subsection (4), the director of auditing shall conduct such audits.*

(e) *Conduct, supervise, or coordinate other activities carried out or financed by that state agency for the purpose of promoting economy and efficiency in the administration of, or preventing and detecting fraud and abuse in, its programs and operations.*

(f) *Keep the agency head informed concerning fraud, abuses, and deficiencies relating to programs and operations administered or financed by the state agency; recommend corrective action concerning fraud, abuses, and deficiencies; and report on the progress made in implementing corrective action.*

(g) *Ensure effective coordination and cooperation between the Auditor General, federal auditors, and other governmental bodies to avoid duplication.*

(h) *Review, as appropriate, rules relating to the programs and operations of the state agency and make recommendations concerning their impact.*

(i) *Ensure that an appropriate balance is maintained between audit, investigative, and other accountability activities.*

~~(3)(2) The inspector general Each state agency shall employ a chief internal auditor who shall be appointed by and directly responsible to the agency head. For the agencies under the direction of the Governor, the appointment shall be made after notifying the Governor in writing, at least 7 days before an offer of employment, of the agency head's intention to hire the inspector general.~~

(a) *Each inspector general shall report to and be under the general supervision of the agency head and shall not be subject to supervision by any other employee of the state agency. The inspector general shall be appointed without regard to political affiliation.*

(b) *An inspector general may be removed from office by the agency head. For the agencies under the direction of the Governor, the agency head shall notify the Governor, in writing, of the intention to terminate the inspector general at least 7 days before the removal. For the state agencies under the direction of the Governor and Cabinet, the agency head shall notify the Governor and Cabinet in writing of the intention to terminate the inspector general at least 7 days before the removal.*

(c) *The agency head shall not prevent or prohibit the inspector general or director of auditing from initiating, carrying out, or completing any audit or investigation.*

~~(4)(3) To ensure that state agency audits are performed in accordance with applicable auditing standards, the inspector general or the director of auditing within the inspector general's office must possess the following qualifications The chief internal auditor shall possess the following qualifications:~~

(a) A bachelor's degree from an accredited college or university with a major in accounting, or with a major in business which includes five courses in accounting, and 5 years of experience as an internal auditor or independent postauditor, electronic data processing auditor, accountant, or any combination thereof. The experience shall at a minimum consist of audits of units of government or private business enterprises, operating for profit or not for profit; or

(b) A master's degree in accounting, business administration, or public administration from an accredited college or university and 4 years of experience as required in paragraph (a); or

(c) A certified public accountant license issued pursuant to chapter 473 or a certified internal audit certificate issued by the Institute of Internal Auditors or earned by examination, and 4 years of experience as required in paragraph (a).

~~(5)(4) In carrying out the auditing duties and responsibilities under this section, each inspector general The chief internal auditor shall review and evaluate internal controls necessary to ensure the fiscal accountability of the state agency. The inspector general chief internal auditor shall conduct financial, compliance, electronic data processing, and performance audits of the agency and prepare audit reports of his findings. The scope and assignment of the audits shall be determined by the inspector general chief internal auditor; however, the agency head of the agency may at any time direct the inspector general chief internal auditor to perform an audit of a special program, function, or organizational unit. The performance of the audit shall be under the direction of the inspector general, except that, if the inspector general does not possess the qualifications described in subsection (4), the director of auditing shall perform the functions listed in this subsection chief internal auditor.~~

(a) Such audits shall be conducted in accordance with the current Standards for the Professional Practice of Internal Auditing and subsequent Internal Auditing Standards or Statements on Internal Auditing Standards published by the Institute of Internal Auditors, Inc., or, where appropriate, in accordance with generally accepted governmental auditing standards. All audit reports issued by internal audit staff shall include a statement that the audit was conducted pursuant to the appropriate standards.

(b) Audit workpapers and reports shall be public records to the extent that they do not include information which has been made confidential and exempt from the provisions of s. 119.07(1) pursuant to law. However, when the inspector general ~~chief internal auditor~~ or a member of the ~~his~~ staff receives from an individual a complaint or information that falls within the definition provided in s. 112.3187(5), the name or

identity of the individual shall not be disclosed to anyone ~~else other than the chief internal auditor~~ without the written consent of the individual, unless the ~~inspector general chief internal auditor~~ determines that such disclosure is unavoidable during the course of the audit or investigation. This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14.

(c) The ~~inspector general chief internal auditor~~ and his staff shall have access to any records, data, and other information of the state agency he deems necessary to carry out his duties. ~~The inspector general is also authorized to request such information or assistance as is necessary from the state agency or from any federal, state, or local governmental entity.~~

(d)(5) At the conclusion of each audit, the ~~inspector general chief internal auditor~~ shall submit his preliminary findings and recommendations to the person responsible for supervision of the program function or operational unit who shall respond to any adverse findings of the ~~chief internal auditor~~ within 20 working days after receipt of the tentative findings. Such response and the ~~inspector general's chief internal auditor's~~ rebuttal to the response shall be included in the final audit report.

(e)(6) The ~~inspector general chief internal auditor~~ shall submit the final report to the agency head ~~of the agency~~ and to the Auditor General.

(f)(7) The Auditor General, in connection with his independent post-audit of the same agency pursuant to s. 11.45, shall give appropriate consideration to internal audit reports and the resolution of findings therein. The Legislative Auditing Committee may inquire into the reasons or justifications for failure of the agency head to correct the deficiencies reported in internal audits that are also reported by the Auditor General and shall take appropriate action. The Auditor General shall also review a sample of each agency's internal audit reports at least once every 3 years to determine compliance with current Standards for the Professional Practice of Internal Auditing or, if appropriate, generally accepted governmental auditing standards. If the Auditor General finds that these standards have not been complied with, ~~the Auditor General~~ he shall include a statement of this fact in his audit report of the agency.

(g)(8) The ~~inspector general chief internal auditor~~ shall monitor the implementation of the state agency's response to any audit of the state agency conducted by the Auditor General pursuant to s. 11.45. No later than 6 months after the Auditor General publishes a report of his audit of the agency, the ~~inspector general chief internal auditor~~ shall report to the agency head on the status of corrective actions taken. A copy of such report shall be filed with the Joint Legislative Auditing Committee.

(h) ~~The inspector general shall develop long-term and annual audit plans based on the findings of periodic risk assessments. The plan must show the individual audits to be conducted during each year and related resources to be devoted to the respective audits. For state agencies under the Governor, the audit plans shall be submitted to the Governor's Chief Inspector General. The plan shall be submitted to the agency head for approval. A copy of the approved plan shall be submitted to the Auditor General.~~

(6) In carrying out the investigative duties and responsibilities specified in this section, each inspector general shall initiate, conduct, supervise, and coordinate investigations designed to detect, deter, prevent, and eradicate fraud, waste, mismanagement, misconduct, and other abuses in state government. For these purposes, each state agency shall:

(a) Receive complaints and coordinate all activities of the agency as required by the Whistle Blower's Act pursuant to ss. 112.3187-112.31895.

(b) Receive and consider the complaints that do not meet the criteria for an investigation under the Whistle Blower's Act and conduct, supervise, or coordinate such inquiries, investigations, or reviews as the inspector general deems appropriate.

(c) Report expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the inspector general has reasonable grounds to believe there has been a violation of criminal law.

(d) Conduct investigations and other inquiries free of actual or perceived impairment to the independence of the inspector general or the inspector general's office. This shall include freedom from any interference with investigations and timely access to records and other sources of information.

(e) Submit timely final reports on investigations conducted by the inspector general to the agency head, except for Whistle Blower's Act investigations, which shall be conducted and reported pursuant to s. 112.3189.

(7) Each inspector general shall, not later than September 30 of each year, prepare a report summarizing the activities of the office during the immediately preceding state fiscal year. The final report shall be furnished to the agency head. Such reports must include, but need not be limited to:

(a) A description of activities relating to the development, assessment, and validation of performance measures.

(b) A description of significant abuses, and deficiencies relating to the administration of programs and operations of the agency disclosed by investigations, audits, reviews, or other activities during the reporting period.

(c) A description of the recommendations for corrective action made by the inspector general during the reporting period with respect to significant problems, abuses, or deficiencies identified.

(d) The identification of each significant recommendation described in previous annual reports on which corrective action has not been completed.

(e) A summary of each audit and investigation completed during the reporting period.

Section 8. Section 14.32, Florida Statutes, is created to read:

14.32 Office of Chief Inspector General.—

(1) There is created in the Executive Office of the Governor the Office of the Chief Inspector General. The Chief Inspector General is responsible for promoting accountability, integrity, and efficiency in the agencies under the jurisdiction of the Governor. The Chief Inspector General shall be appointed by and serve at the pleasure of the Governor.

(2) The Chief Inspector General shall:

(a) Initiate, supervise, and coordinate investigations, recommend policies, and carry out other activities designed to deter, detect, prevent, and eradicate fraud, waste, abuse, mismanagement, and misconduct in government.

(b) Investigate, upon receipt of a complaint or for cause, any administrative action of any agency, the administration of which is under the direct supervision of the Governor, regardless of the finality of the administrative action.

(c) Request such assistance and information as may be necessary for the performance of the duties of the Chief Inspector General.

(d) Examine the records and reports of any agency, the administration of which is under the direct supervision of the Governor.

(e) Coordinate complaint-handling activities with agencies.

(f) Coordinate the activities of the Whistle Blower's Act pursuant to ss. 112.3187-112.31895 and maintain a "Whistle Blower's Hotline" to receive complaints and information concerning the possible violation of law or administrative rules, mismanagement, fraud, waste, abuse of authority, malfeasance, or a substantial or specific danger to the health, welfare, or safety of the public.

(g) Report expeditiously to and cooperate fully with the Department of Law Enforcement, the Department of Legal Affairs, and other law enforcement agencies when there are grounds for believing that there has been a violation of criminal law or that a civil action should be initiated.

(h) Act as liaison with outside agencies and the Federal Government to promote accountability, integrity, and efficiency in state government.

(i) Act as liaison with and monitor the activities of the inspectors general in the agencies under the Governor's jurisdiction.

(j) Review, evaluate, and monitor the policies, practices, and operations of the Executive Office of the Governor.

(k) Conduct special investigations and management reviews at the request of the Governor.

(3) The Chief Inspector General shall serve as the inspector general for the Executive Office of the Governor.

Section 9. Any other power, duty, function, or activity of a chief internal auditor described in any other provision of law shall become the power, duty, function, or activity of the inspector general as defined in section 13 of this act. This act is not intended to diminish other powers and duties of chief internal auditors or inspectors general as provided by law.

Section 10. The Division of Statutory Revision of the Joint Legislative Management Committee is requested to prepare a reviser's bill to change the term "chief internal auditor" to inspector general.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, strike everything before the enacting clause and insert: A bill to be entitled An act relating to governmental accountability; amending s. 20.055, F.S.; abolishing the position of agency chief internal auditor and creating the position of inspector general in each state agency; prescribing the duties of that office with respect to ensuring accountability, integrity, and efficiency in agency performance; creating s. 14.32, F.S.; creating the position of Chief Inspector General in the Executive Office of the Governor and prescribing duties of that position; providing for agency inspectors general to assume other statutory duties of agency chief internal auditors not specifically addressed in this act; providing for a reviser's bill; providing an effective date.

Senator Dudley moved the following amendment to **Amendment 4**:

Amendment 4A—On page 3, strike all of lines 12-18 and insert:

(3) The inspector general shall be appointed by the Legislature.

On motion by Senator Boczar, further consideration of **SB 1546** with pending **Amendment 4A** was deferred.

SB 3098—A bill to be entitled An act relating to the boundary between Citrus County and Levy County; amending ss. 7.09, 7.38, F.S.; moving the boundary between those counties from the northern bank of the Withlacoochee River to the thread or center of that river; correcting errors in the description of the Citrus County boundary; providing an effective date.

—was read the second time by title.

Senator Kirkpatrick moved the following amendments which were adopted:

Amendment 1 (with Title Amendment)—On page 2, line 14, strike "west" and insert: *east west*

And the title is amended as follows:

In title, on page 1, strike all of lines 2-8 and insert: An act relating to the boundaries of Citrus County and Levy County; amending ss. 7.09, 7.38, F.S.; moving the boundary between those counties from the northern bank of the Withlacoochee River to the thread or center of that river; correcting errors in the descriptions of the boundaries of those counties;

Amendment 2—On page 3, strike line 12 and insert:

Section 3. This act shall take effect upon becoming a law.

On motion by Senator Kirkpatrick, by two-thirds vote **SB 3098** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

On motions by Senator Sullivan, by two-thirds vote **CS for HB 137** was withdrawn from the Committees on Health Care and Judiciary.

On motion by Senator Sullivan—

CS for HB 137—A bill to be entitled An act relating to advance directives for health care; amending s. 744.3115, F.S.; providing for court orders to modify or revoke certain authority of a surrogate; amending s. 744.345, F.S.; revising authority of guardians; amending s. 765.101, F.S.;

revising definitions; amending s. 765.105, F.S.; providing additional grounds for review of a surrogate or proxy's decision; amending s. 765.106, F.S.; expanding preservation of rights; amending ss. 765.110 and 765.113, F.S.; correcting references; amending s. 765.202, F.S.; modifying procedure for designating a health care surrogate and condition for seeking appointment of a proxy; amending s. 765.205, F.S., relating to respective responsibilities of surrogate and guardian; amending s. 765.304, F.S.; authorizing the attending physician to proceed according to a living will when a surrogate has not been designated; providing procedures with regard to disputed decisions to withhold or withdraw life-prolonging procedures; amending s. 765.308, F.S.; providing procedure when a health care facility refuses to comply with the patient's wishes; amending s. 765.401, F.S.; providing that designation of a proxy does not preempt certain statutory designations relating to consent to medical treatment of minors; repealing s. 744.3215(4)(f), F.S., relating to rights of persons determined incapacitated; repealing s. 765.111, F.S., relating to effect of state and federal constitutions; repealing s. 765.306(2), F.S., relating to a rebuttable presumption in determination of a patient's condition; repealing s. 765.307, F.S., relating to do-not-resuscitate orders; providing an effective date.

—a companion measure, was substituted for **CS for SB 1252** and read the second time by title.

Senator Sullivan moved the following amendment which was adopted:

Amendment 1—On page 8, line 28, strike "and" and insert: , and

On motion by Senator Sullivan, by two-thirds vote **CS for HB 137** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40 Nays—None

CS for SB 1922—A bill to be entitled An act relating to license plates; providing for the issuance of license plates to commemorate soil and water conservation; providing fees; providing for the use of such fees; providing for the discontinuance of such license plates; providing an effective date.

—was read the second time by title.

The Committee on Finance, Taxation and Claims recommended the following amendment which was moved by Senator Forman and adopted:

Amendment 1—On page 1, line 17, after "owner" insert: or lessee

On motion by Senator Forman, by two-thirds vote **CS for SB 1922** as amended was read the third time by title, passed by the required constitutional three-fifths vote of the membership, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39 Nays—None

The Senate resumed consideration of—

SB 1546—A bill to be entitled An act relating to the executive branch of government; amending s. 20.02, F.S.; limiting the number of departments that may be established by law; amending s. 20.03, F.S.; modifying definitions of terms relating to the structure of the executive branch; amending ss. 20.04, 20.05, F.S.; adding definitions; removing obsolete provisions; requiring the Executive Office of the Governor to keep certain organizational charts; transferring provisions pertaining to the Governor's appointment of the Lieutenant Governor as the head of a department; revising provisions regarding the powers and duties of department heads; requiring that executive directors of departments headed by the Governor and Cabinet be confirmed by the Senate; specifying that secretaries appointed by the Governor to serve as heads of departments be confirmed by the Senate; creating s. 20.051, F.S.; providing criteria for reviews of programs, functions, and entities of the executive branch; creating s. 20.052, F.S.; providing procedures regarding the creation of advisory bodies, commissions, and boards of trustees; providing for senate confirmation of members of commissions and boards of trustees; amending s. 20.06, F.S.; revising provisions pertaining to transfer types for reorganization of agencies; amending s. 20.21, F.S.; providing for the appointment of an executive director; providing for senate confirmation; amending s. 20.24, F.S.; providing for the appointment of an executive director; providing for senate confirmation; amending s. 20.41, F.S.; providing that the Secretary of the Department of Elderly Affairs be confirmed by the Senate; providing an effective date.

—which had been previously considered this day. Pending **Amendment 4A** by Senator Dudley was withdrawn.

Senator Dudley moved the following amendments to **Amendment 4** which were adopted:

Amendment 4B—On page 3, line 14, after “agency head” insert: and confirmed by the Senate.

Amendment 4C—On page 3, line 28, after “the removal” insert: and shall set forth the reasons for removal.

Amendment 4 as amended was adopted.

On motion by Senator Boczar, by two-thirds vote **SB 1546** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39 Nays—None

THE PRESIDENT PRESIDING

The Senate resumed consideration of—

SB 40—A bill to be entitled An act relating to the local option tourist development tax; amending s. 125.0104, F.S.; authorizing the use of tax revenues for public recreational parks by certain counties; providing an effective date.

—which was read the third time by title, having been considered and amended March 24.

Senators Johnson and Dudley offered the following amendment which was moved by Senator Johnson and adopted by two thirds vote:

Amendment 3 (with Title Amendment)—On page 1, strike all of lines 10-13 and insert:

Section 1. Paragraph (e) of subsection (4) and paragraph (b) of subsection (5) of section 125.0104, Florida Statutes, are amended to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

(4) **ORDINANCE LEVY TAX; PROCEDURE.**—

(e)1. The governing board of each county which levies and imposes a tourist development tax under this section shall appoint an advisory council to be known as the “. . . (name of county) . . . Tourist Development Council.” The council shall be established by ordinance and composed of nine members who shall be appointed by the governing board. The chairman of the governing board of the county or any other member of the governing board as designated by the chairman shall serve on the council. Two members of the council shall be elected municipal officials, one of whom shall be from the most populous municipality in the county or subcounty special taxing district in which the tax is levied. Three members of the council shall be owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in the county and subject to the tax. Three members of the council shall be persons who are involved in the tourist industry and who have demonstrated an interest in tourist development, but who are not owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in the county and subject to the tax. All members of the council shall be electors of the county. The governing board of the county shall have the option of designating the chairman of the council or allowing the council to elect a chairman. The chairman shall be appointed or elected annually and may be reelected or reappointed. The members of the council shall serve for staggered terms of 4 years. The terms of office of the original members shall be prescribed in the resolution required under paragraph (b). The council shall meet at least once each quarter and, from time to time, shall make recommendations to the county governing board for the effective operation of the special projects or for uses of the tourist development tax revenue and perform such other duties as may be prescribed by county ordinance or resolution. The council shall continuously review expenditures of revenues from the tourist development trust fund and shall receive, at least quarterly, expenditure reports from the county governing board or its designee. Expenditures which the council believes to be unauthorized shall be reported to the county governing board and the Department of Revenue. The governing board and the department shall review the findings of the council and take appropriate

administrative or judicial action to ensure compliance with this section. The changes in the composition of the membership of the tourist development council mandated by chapter 86-4, Laws of Florida, shall not cause the interruption of the current term of any person who is a member of a council on May 7, 1986.

2. *If the governing body of a county that has levied and imposed a tourist development tax proposes to expand the uses of the existing tourist development tax to include uses authorized under subparagraph (5)(b)2., the governing body must submit the proposal to the county tourist development council for its recommendations, or, if the council is no longer in existence, the governing body of the county must adopt a resolution establishing and appointing the members of a new tourist development council as prescribed in subparagraph 1. With respect to the expanded uses of the tax under subparagraph (5)(b)2., the new council has the powers and duties exercised by its predecessor council with respect to the revenues from the tax as it was originally imposed.*

And the title is amended as follows:

In title, on page 1, line 5, after the semicolon (;) insert: providing that the proposal to expand the uses of the tax must be submitted to a county tourist development council; providing procedures;

RECONSIDERATION OF AMENDMENT

On motion by Senator Harden, the Senate reconsidered the vote by which **Amendment 2** failed on March 24. **Amendment 2** was adopted by two-thirds vote.

On motion by Senator Johnson, **SB 40** as amended was read by title, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33 Nays—5

CS for CS for CS for SB 1018—A bill to be entitled An act relating to education; creating s. 288.0475, F.S.; creating the Jobs and Education Partnership within Enterprise Florida; providing for membership; providing for a board of directors; providing powers and authority of the board; providing for authorized programs; providing for an annual report; providing for audits; amending s. 288.901, F.S.; providing for financial disclosure; creating s. 239.249, F.S.; creating a voluntary, market-driven, performance-based incentive funding program for postsecondary adult vocational and postsecondary vocational education programs provided by public school districts and community colleges; providing for administration of the program; providing requirements for participation and criteria for incentive awards and grants; regulating fund sources for incentive awards and grants; amending s. 239.225, F.S.; creating the Vocational Equipment Challenge Grant Program; providing requirements for participation; amending s. 239.105, F.S.; revising the definition of “supplemental vocational” education; directing the Department of Education to review certain programs; providing an effective date.

—was read the second time by title.

Senator Childers moved the following amendment which was adopted:

Amendment 1—On page 18, line 31, strike “July 1, 1994” and insert: upon becoming a law

Senator Kirkpatrick moved the following amendments which were adopted:

Amendment 2—On page 16, lines 6-9, strike “However, when a college or district decides to participate, it must participate at least 5 consecutive years in which the Legislature designates funds for the program.” and insert: If a district or community college decides to terminate its participation, it must notify the Jobs and Education Partnership three years prior to that termination. This subsection may not be waived.

Amendment 3—On page 4, lines 10 and 11, strike “director of an area vocational-technical center” and insert: school district vocational director with responsibility for postsecondary programs

Amendment 4—On page 5, line 10, after “committee” insert: , the committee of practitioners established as required by P.L. 101-392,

Amendment 5—On page 10, lines 23 and 24, strike “who is not otherwise required to do so” and insert: who was appointed after June 30, 1992

Amendment 6—On page 18, between lines 30 and 31, insert:

Section 7. The Department of Education, the Department of Health and Rehabilitative Services, the State Job Training Coordinating Council, and the Department of Business and Professional Regulation shall develop a plan and implementation schedule for linking information in their automated client or student databases to implement performance based funding, to comply with statutes requiring reports for accountability outcome measures, and to meet statutory requirements for evaluating Project Independence. The plan must include a report of any rules or laws that impede the data sharing and any measures recommended to ensure privacy. By September 1, 1994, the Department of Education shall submit the plan to the President of the Senate and the Speaker of the House of Representatives.

(Renumber subsequent section.)

On motion by Senator Kirkpatrick, by two-thirds vote **CS for CS for SB 1018** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40 Nays—None

SB 2730—A bill to be entitled An act relating to confidentiality of records; providing that records required by Senate Bill _____ are confidential and exempt from disclosure; providing legislative findings of necessity; providing a conditional effective date.

—was read the second time by title.

The Committee on Rules and Calendar recommended the following amendment which was moved by Senator Kirkpatrick:

Amendment 1—On page 1, line 4, before "are"; lines 12, 14 and 21, after "Bill", insert: 1018

Senator Kirkpatrick moved the following substitute amendment which was adopted:

Amendment 2 (with Title Amendment)—On page 1, strike everything after the enacting clause and insert:

Section 1. All information received by the Enterprise Florida Jobs and Education Partnership under section 288.0475, Florida Statutes, which would identify a donor or prospective donor of funds to the partnership is confidential and exempt from section 119.07(1), Florida Statutes. This exemption from section 119.07(1), Florida Statutes, is subject to the Open Government Sunset Review Act in accordance with section 119.14, Florida Statutes.

Section 2. The Legislature finds that the exemption from section 119.07(1), Florida Statutes, provided by this act is a public necessity and protects valid personal and business interests of persons and entities that make donations to the Enterprise Florida Jobs and Education Partnership.

Section 3. This act shall take effect on the effective date of Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 1018 (1994).

And the title is amended as follows:

In title, on page 1, strike everything before the enacting clause and insert: A bill to be entitled An act relating to the confidentiality of certain records of the Enterprise Florida Jobs and Education Partnership; providing that information received by the partnership which would identify a donor or prospective donor of funds to the partnership is exempt from public record requirements; providing for future legislative review of the exemption under the Open Government Sunset Review Act; providing a contingent effective date.

On motion by Senator Kirkpatrick, by two-thirds vote **SB 2730** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40 Nays—None

CS for CS for SJR's 2, 4 and 416—A joint resolution proposing an amendment to Section 1 of Article VII of the State Constitution to limit annual increases in state revenue.

—was read the second time by title.

Senator Crenshaw moved the following amendment:

Amendment 1—On page 3, strike all of lines 22-26 and insert:

(5) *The legislature may, by general law, prescribe*

Senator Kiser moved the following substitute amendment which failed:

Amendment 2—On page 3, line 25, after "general election." insert: *If this subsection is held invalid or unenforceable, that fact shall not affect the implementation or interpretation of any other provision of this amendment, and this subsection shall be deemed severed.*

SENATOR SCOTT PRESIDING

The question recurred on **Amendment 1** which was adopted. The vote was:

Yeas—25 Nays—15

On motion by Senator Crenshaw, by two-thirds vote **CS for CS for SJR's 2, 4 and 416** as amended was read the third time in full as follows:

CS for CS for SJR's 2, 4 and 416—A joint resolution proposing an amendment to Section 1 of Article VII of the State Constitution to limit annual increases in state revenue.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 1 of Article VII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election, and, if approved, shall take effect January 1, 1995, and shall first apply to the 1995-1996 state fiscal year:

ARTICLE VII FINANCE AND TAXATION

SECTION 1. Taxation; appropriations; state expenses; *state revenue limitation.*—

(a) No tax shall be levied except in pursuance of law. No state ad valorem taxes shall be levied upon real estate or tangible personal property. All other forms of taxation shall be preempted to the state except as provided by general law.

(b) Motor vehicles, boats, airplanes, trailers, trailer coaches and mobile homes, as defined by law, shall be subject to a license tax for their operation in the amounts and for the purposes prescribed by law, but shall not be subject to ad valorem taxes.

(c) No money shall be drawn from the treasury except in pursuance of appropriation made by law.

(d) Provision shall be made by law for raising sufficient revenue to defray the expenses of the state for each fiscal period.

(e)(1) *Except as provided herein, state revenues collected during a fiscal year are limited to an amount equal to the state revenues collected during the prior fiscal year plus an adjustment for growth. As used in this subsection, the term "growth" means an amount equal to the average annual rate of growth in Florida personal income over the most recent twenty quarters times the state revenues collected during the prior fiscal year. For fiscal years after the first fiscal year to which this subsection applies, the term "state revenues collected during the prior fiscal year" means the maximum allowable state revenues for that year as determined pursuant to this subsection. Florida personal income must be determined from information available from the United States Department of Commerce or its successor on the first day of January prior to the start of the fiscal year.*

(2) *State revenues collected during any fiscal year in excess of this limitation must be transferred to the budget stabilization fund until the fund reaches the maximum balance specified in section 19(g) of Article III, and, thereafter, must be distributed on a per capita basis to the reg-*

istered voters of Florida based on the most recently available voter registration rolls. Notwithstanding section 19(g) of Article III, the legislature by law may distribute moneys in the budget stabilization fund which are in excess of seven percent of the last completed fiscal year's net revenue collections for the general revenue fund and which were transferred to the budget stabilization fund pursuant to this paragraph on a per capita basis to the registered voters of Florida based on the most recently available voter registration rolls.

(3) The limitation may be increased above the amount calculated pursuant to paragraph (1) by a law that is enacted by a vote of two-thirds of the membership of each house of the legislature, that contains no other subject, and that sets forth the dollar amount by which the limitation will be exceeded. The vote may not be taken less than seventy-two hours after the third reading of the bill.

(4) For purposes of this subsection, the term "state revenues" means taxes, fees, licenses, and charges for services imposed by the legislature on individuals, businesses, or agencies outside state government. However, the term does not include: revenues from taxes, fees, licenses, or charges for services that are necessary to meet the requirements set forth in documents authorizing the issuance of bonds by the state where the bonds were issued prior to the effective date of this amendment; proceeds from the state lottery returned as prizes; balances carried forward from prior fiscal years; or revenues authorized to be imposed by law but not directly imposed by law.

(5) The legislature may, by general law, prescribe procedures necessary to administer this subsection.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT ARTICLE VII, SECTION 1

LIMITATION ON STATE REVENUES.—Proposing an amendment to the State Constitution, effective January 1, 1995, to limit the rate of increase in state revenues to the rate of growth in Florida personal income over the previous 5 years, unless the Legislature enacts, by a two-thirds vote, legislation allowing this limitation to be exceeded. This limitation first applies to the 1995-1996 state fiscal year and supersedes any similar limitation imposed at the same election.

—and as amended CS for CS for SJR's 2, 4 and 416 passed by the required constitutional three-fifths vote of the membership, and was certified to the House. The vote on passage was:

Yeas—39 Nays—None

MOTION

On motion by Senator Kirkpatrick, the rules were waived and time of recess was extended until 6:00 p.m.

CS for CS for SB 1950—A bill to be entitled An act relating to the judiciary; amending s. 26.021, F.S.; providing a residency requirement for certain circuit judges; amending s. 26.031, F.S., increasing the number of judges in specified judicial circuits; amending s. 34.022, F.S., increasing the number of judges in specified county courts; providing effective dates.

—was read the second time by title. On motion by Senator Weinstein, by two-thirds vote CS for CS for SB 1950 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

CS for SB 234—A bill to be entitled An act relating to probation and community control; amending s. 948.09, F.S.; assessing felony offenders a monthly surcharge on costs of specified supervision programs; requiring the Department of Corrections to use surcharge moneys to pay for correctional probation officers' training and equipment; providing for applicability; providing an effective date.

—was read the second time by title.

Senator Grogan moved the following amendment which failed:

Amendment 1 (with Title Amendment)—On page 2, strike all of lines 21 and 22 and insert:

Section 2. (1)(a) For each nonemergency visit to a health care provider by an inmate who initiates the visit, the inmate must make a copayment of not less than \$1 or more than \$5, as set by rule by the Department of Corrections. A copayment may not be charged for the required initial medical history and physical examination of the inmate.

(b) The copayment for an inmate's health care must be deducted from any existing balance in the inmate's bank account. If the account balance is insufficient to cover the copayment, 50 percent of each deposit to the account must be withheld until the total amount owed has been paid.

(c) The proceeds of each copayment must be deposited in the General Revenue Fund.

(d) The department may waive all or part of the copayment for an inmate's visit to a health care provider if the health care:

1. Is provided in connection with an extraordinary event that could not reasonably be foreseen, such as a disturbance or a natural disaster;

2. Is an institution-wide health care measure that is necessary to address the spread of specific infectious or contagious diseases;

3. Is provided under a contractual obligation that is established under the Interstate Corrections Compact or under an agreement with another jurisdiction which precludes assessing such a copayment; or

4. Was initiated by the health care provider or consists of routine followup care.

(2) The department may provide by rule for a supplemental copayment for a medical consultation relating to an inmate's health care and occurring outside the prison or for a prosthetic device for an inmate. The supplemental copayment must be used to defray all or part of the security costs associated with the surveillance and transport of the inmate to the outside consultation or with the fitting and maintenance of the prosthetic device. The proceeds of each supplemental copayment must be deposited into the General Revenue Fund.

(3)(a) An inmate may not be denied access to health care as a result of not paying any copayment or supplemental copayment that is provided for in this section.

(b) An inmate must not be given preferential access to health care as a result of paying any copayment or supplemental copayment that is provided for in this section.

(c) The expenses and operating capital outlay required to develop, implement, and maintain the medical copayment accounting system must be appropriated from the Inmate Welfare Trust Fund. The fiscal assistants and accountants at the correctional facilities funded from the Inmate Welfare Trust Fund are, in addition to their duties relating to the inmate canteen and bank, responsible for managing the medical copayment system.

Section 3. This act shall take effect October 1, 1994, except that this section and section 1 of this act, which amends section 948.09, Florida Statutes, shall take effect upon becoming a law.

And the title is amended as follows:

In title, on page 1, strike all of lines 1-9 and insert: A bill to be entitled An act relating to corrections; amending s. 948.09, F.S.; assessing felony offenders a monthly surcharge on costs of specified supervision programs; requiring the Department of Corrections to use surcharge moneys to pay for correctional probation officers' training and equipment; providing for applicability; requiring an inmate who initiates a nonemergency visit to a health care provider to make a copayment; providing procedures; providing exceptions; prescribing duties of the Department of Corrections; allowing the department to waive all or part of the copayment in specified circumstances; providing for the deposit of the proceeds from such copayments into the General Revenue Fund; providing for supplemental copayments for specified purposes; providing for the deposit of proceeds from such supplemental copayments into the General Revenue Fund; prohibiting the denial of health care in specified circumstances; prohibiting preferential access to health care in specified circumstances; requiring appropriations from the Inmate Welfare Trust Fund and prescribing responsibilities for managing the medical copayment system; providing effective dates.

On motion by Senator Dudley, by two-thirds vote **CS for SB 234** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

CS for SB 2246—A bill to be entitled An act relating to health care providers; amending s. 409.912, F.S.; conforming provisions to the transfer of responsibilities for the Medicaid program from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; providing a process to allow entities that are currently prohibited from contracting with the Medicaid program to obtain approval to reenter the program; providing an effective date.

—was read the second time by title. On motion by Senator Casas, by two-thirds vote **CS for SB 2246** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

CS for SB 330—A bill to be entitled An act relating to barbering and cosmetology; amending s. 476.014, F.S.; revising terminology in the short title to the "Barbers' Act"; amending s. 476.034, F.S.; revising and providing definitions; creating s. 476.039, F.S.; providing a registration requirement for hair braiding; amending s. 476.054, F.S.; replacing the Barbers' Board with the Board of Barbering and Cosmetology; providing for membership, organization, headquarters, meetings, and personnel; providing terms, compensation, and requirements of members; amending s. 476.064, F.S.; providing rulemaking authority; amending s. 476.074, F.S.; revising terminology relating to legal, investigative, and inspection services; creating s. 476.138, F.S., providing continuing education requirements; amending s. 476.154, F.S.; revising terminology relating to biennial renewal of licenses; amending s. 476.184, F.S.; providing booth renter responsibilities and requirements; providing for regulation of mobile barbershops; amending s. 476.192, F.S.; providing for applicable fees; amending s. 476.194, F.S.; prohibiting unlicensed barbering in booths; revising terminology; amending ss. 476.214 and 476.234, F.S.; revising terminology in provisions relating to certain disciplinary grounds and civil proceedings; amending ss. 477.011 and 477.012, F.S.; revising terminology in the short title to the "Florida Cosmetology Act" and in the purpose statement; amending s. 477.013, F.S.; revising and providing definitions; creating s. 477.0132, F.S.; providing a registration requirement for hair braiding; amending s. 477.015, F.S.; replacing the Board of Cosmetology with the Board of Barbering and Cosmetology; providing for membership, organization, headquarters, meetings, and personnel; providing terms, compensation, and requirements of members; amending s. 477.016, F.S.; providing rulemaking authority; amending s. 477.017, F.S.; providing for legal and investigative services and adding a provision relating to inspection services; repealing s. 477.018, F.S., relating to investigative services required by the board or department; amending s. 477.0201, F.S.; conforming a cross-reference; creating s. 477.0227, F.S.; providing continuing education requirements; amending s. 477.025, F.S.; providing license display requirements; providing booth renter responsibilities and requirements; providing for regulation of mobile salons; amending s. 477.026, F.S.; providing for applicable fees; amending s. 477.0265, F.S.; prohibiting unlicensed or unregistered cosmetology or specialty services in booths; providing penalties; amending s. 477.028, F.S.; providing grounds for disciplinary proceedings against the renter of a booth; requiring the preparation of proposed legislation on the merger of chapters 476 and 477, F.S., relating to barbering and cosmetology, and the provision of copies to certain individuals by a specified date; providing an effective date.

—was read the second time by title. On motion by Senator Gutman, by two-thirds vote **CS for SB 330** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

On motions by Senator Forman, by two-thirds vote **CS for HB 1199** was withdrawn from the Committees on Health Care, Commerce and Appropriations.

On motion by Senator Forman—

CS for HB 1199—A bill to be entitled An act relating to Medicaid; amending s. 409.9116, F.S.; providing for a disproportionate share/financial assistance program for statutory rural hospitals; providing for distribution of payments; providing for determination of payment amounts and allocation of state and federal matching funds; providing an effective date.

—a companion measure, was substituted for **CS for SB 658** and read the second time by title. On motion by Senator Forman, by two-thirds vote **CS for HB 1199** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

Consideration of **SB 284** and **CS for SB 636** was deferred.

SB 2414—A bill to be entitled An act relating to the Florida School for the Deaf and the Blind; amending s. 242.331, F.S.; authorizing the Board of Trustees for the Florida School for the Deaf and the Blind to appoint campus police officers with the authority to bear arms and make arrests; providing training requirements for such officers; providing an effective date.

—was read the second time by title.

The Committee on Personnel, Retirement and Collective Bargaining recommended the following amendment which was moved by Senator Bankhead and adopted:

Amendment 1 (with Title Amendment)—On page 1, line 24, between "must" and "have" insert: *be certified in compliance with s. 943.1395, and must*

And the title is amended as follows:

In title, on page 1, line 7, after the semicolon (;) insert: *providing for certification pursuant to s. 943.1395;*

On motion by Senator Bankhead, by two-thirds vote **SB 2414** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 616—A bill to be entitled An act relating to illegal dumping; amending s. 810.011, F.S.; adding definitions; amending s. 810.09, F.S.; providing a penalty for unlawful dumping of litter; amending s. 810.12, F.S.; providing that certain unlawful dumping is prima facie evidence of intent to commit trespass; providing a rebuttable presumption; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation recommended the following amendment which was moved by Senator Kirkpatrick:

Amendment 1 (with Title Amendment)—On page 2, strike all of lines 23 and 24 and insert: *last belonged to such person, may be used as prima facie evidence of his intent to commit an act of trespass.*

And the title is amended as follows:

In title, on page 1, strike line 8 and insert: *trespass;*

Senator Kirkpatrick moved the following substitute amendment which was adopted:

Amendment 2—On page 2, strike all of lines 23 and 24 and insert: *last belonged to such person, that discovery raises a mere inference that the person so identified has violated this section. If the court finds that the discovery of the location of the article is corroborated by the exist-*

ence of an independent fact or circumstance which, standing alone, would constitute evidence sufficient to prove a violation of s. 403.413(4), such person is rebuttably presumed to have violated that section.

On motion by Senator Kirkpatrick, by two-thirds vote **SB 616** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40 Nays—None

On motions by Senator Brown-Waite, by two-thirds vote **CS for HB 1377** was withdrawn from the Committees on Health and Rehabilitative Services; Personnel, Retirement and Collective Bargaining; and Appropriations.

On motions by Senator Brown-Waite, by two-thirds vote—

CS for HB 1377—A bill to be entitled An act relating to sexually transmissible disease; creating s. 384.287, F.S.; prescribing procedures for testing certain persons for sexually transmissible disease when significant exposure may have occurred which could have infected an officer, firefighter, ambulance driver, emergency medical technician, or paramedic with the disease; requiring information otherwise made confidential to be kept confidential; providing a penalty for disclosure of confidential information; repealing s. 796.08(6), F.S., relating to screening of certain persons for sexually transmissible diseases; providing an effective date.

—a companion measure, was substituted for **CS for SB 1646** and by two-thirds vote read the second time by title. On motion by Senator Brown-Waite, by two-thirds vote **CS for HB 1377** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

On motions by Senator Jones, by two-thirds vote **HB 2443** was withdrawn from the Committees on Corrections, Probation and Parole; and Appropriations.

On motions by Senator Jones, by two-thirds vote—

HB 2443—A bill to be entitled An act relating to prison industries; amending s. 946.006, F.S.; authorizing the Department of Corrections to contract with private industries to provide in-prison inmate work programs; requiring the department to present to the Legislature a plan for implementation; providing an effective date.

—a companion measure, was substituted for **SB 1754** and by two-thirds vote read the second time by title. On motion by Senator Jones, by two-thirds vote **HB 2443** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

THE PRESIDENT PRESIDING

On motions by Senator Beard, by two-thirds vote **HB 2243** was withdrawn from the Committees on Judiciary and Appropriations.

On motion by Senator Beard—

HB 2243—A bill to be entitled An act relating to eminent domain; amending s. 73.032, F.S.; revising language with respect to offers of judgment; limiting offers of judgment to certain amounts; providing additional criteria; providing for admissibility; amending s. 73.091, F.S.; revising language with respect to costs of the proceedings; providing for the submission of certain records; providing factors to be used in assessing costs; directing the court to make specific findings with respect to costs; amending s. 73.092, F.S.; revising language with respect to attorney's fees; revising language with respect to nonmonetary benefits; providing a schedule for fees based on benefits achieved; providing an effective date.

—a companion measure, was substituted for **SB 1988** and read the second time by title. On motion by Senator Beard, by two-thirds vote **HB 2243** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40 Nays—None

SB 1820—A bill to be entitled An act relating to an exemption from the public records law for certain unemployment compensation information; amending s. 443.171, F.S.; providing that the documentation of a determination relating to unemployment compensation which documentation contains the identity of the employing unit or of the individual is confidential and exempt from the requirement that public records be open for inspection and examination by any person; providing an effective date.

—was read the second time by title.

Senator Grant moved the following amendment which was adopted:

Amendment 1 (with Title Amendment)—Strike everything after the enacting clause and insert:

Section 1. Subsection (12) of section 443.171, Florida Statutes, is repealed, and subsection (7) of section 443.171, Florida Statutes, as amended by chapter 93-414, Laws of Florida, is amended, to read:

443.171 Division and commission; powers and duties; rules; advisory council; records and reports.—

(7) **RECORDS AND REPORTS.**—Each employing unit shall keep true and accurate work records, containing such information as the division may prescribe. Such records shall be open to inspection and be subject to being copied by the division at any reasonable time and as often as may be necessary. The division or an appeals referee may require from any employing unit any sworn or unsworn reports, with respect to persons employed by it, deemed necessary for the effective administration of this chapter. ~~Information revealing the employing unit's or individual's identity thus obtained from the employing unit or from any individual pursuant to the administration of this chapter, shall, except to the extent necessary for the proper presentation of a claim or upon written authorization of the claimant who has a workers' compensation claim pending, be held confidential and exempt from the provisions of s. 119.07(1). Such information shall be available only to public employees in the performance of their public duties, including employees of the Department of Education in obtaining information for the Florida Education and Training Placement Information Program and the Department of Commerce in its administration of the qualified defense contractor tax refund program authorized by s. 288.104. This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14. Any claimant (or his legal representative) at a hearing before an appeals referee or the commission shall be supplied with information from such records to the extent necessary for the proper presentation of his claim. Any employee or member of the commission or any employee of the division, or any other person receiving confidential information, who violates any provision of this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. However, the division may furnish to any employer copies of any report previously submitted by such employer, upon the request of such employer, and the division is authorized to charge therefor such reasonable fee as the division may by rule prescribe not to exceed the actual reasonable cost of the preparation of such copies. Fees received by the division for copies as herein provided shall be deposited to the credit of the Employment Security Administration Trust Fund.~~

Section 2. Section 443.1715, Florida Statutes, is created to read:

443.1715 Disclosure of information; confidentiality.—

(1) **RECORDS AND REPORTS.**—Information revealing the employing unit's or individual's identity obtained from the employing unit or from any individual pursuant to the administration of this chapter, and any determination revealing such information, must, except to the extent necessary for the proper presentation of a claim or upon written authorization of the claimant who has a workers' compensation claim pending, be held confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Such information may be made available only to public employees in the performance of their public duties, including employees of the Department of Education in obtaining information for the Florida Education and Training Placement Information Program and the Department of Commerce in its administration of the qualified defense contractor tax refund program authorized by s. 288.104. Except as otherwise provided by law, public employees receiving such information must retain the confidentiality of such information. This exemption is subject to the Open Government

Sunset Review Act in accordance with s. 119.14. Any claimant (or his legal representative) at a hearing before an appeals referee or the commission shall be supplied with information from such records to the extent necessary for the proper presentation of his claim. Any employee or member of the commission or any employee of the division, or any other person receiving confidential information, who violates any provision of this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. However, the division may furnish to any employer copies of any report previously submitted by such employer, upon the request of such employer, and may furnish to any claimant copies of any report previously submitted by such claimant, upon the request of such claimant, and the division is authorized to charge therefor such reasonable fee as the division may by rule prescribe not to exceed the actual reasonable cost of the preparation of such copies. Fees received by the division for copies as provided in this subsection must be deposited to the credit of the Employment Security Administration Trust Fund.

(2) **DISCLOSURE OF INFORMATION.**—Subject to such restrictions as the division prescribes by rule, information declared confidential under this section may be made available to any agency of this or any other state, or any federal agency, charged with the administration of any unemployment compensation law or the maintenance of a system of public employment offices, or the Bureau of Internal Revenue of the United States Department of the Treasury, and information obtained in connection with the administration of the employment service may be made available to persons or agencies for purposes appropriate to the operation of a public employment service or a job-preparatory or vocational education or training program. Upon request therefor, the division shall furnish any agency of the United States charged with the administration of public works or assistance through public employment, and may furnish to any state agency similarly charged, the name, address, ordinary occupation, and employment status of each recipient of benefits and such recipient's rights to further benefits under this chapter. Except as otherwise provided by law, the receiving agency must retain the confidentiality of such information as provided in this section. The division may request the Comptroller of the Currency of the United States to cause an examination of the correctness of any return or report of any national banking association rendered pursuant to the provisions of this chapter and may in connection with such request transmit any such report or return to the Comptroller of the Currency of the United States as provided in s. 3305(c) of the federal Internal Revenue Code.

(3) **SPECIAL PROVISIONS FOR DISCLOSURE OF DRUG-TEST INFORMATION.**—Notwithstanding the contrary provisions of s. 440.102(8), all information, interviews, reports, and drug-test results, written or otherwise, received by an employer through a drug-testing program may be used or received in evidence, obtained in discovery, or disclosed in public or private proceedings conducted for the purpose of determining compensability under this chapter, including any administrative or judicial appeal taken hereunder. The employer, agent of the employer, or laboratory conducting a drug test may also obtain access to employee drug-test information when consulting with legal counsel in connection with actions brought under or related to this chapter or when the information is relevant to its defense in a civil or administrative matter. Such information may also be released to a professional or occupational licensing board in a related disciplinary proceeding. However, unless otherwise provided by law, such information is confidential for all other purposes.

(a) Such information may not be disclosed or released, or used in any criminal proceeding against the person tested. Information released contrary to paragraph (c) is inadmissible as evidence in any such criminal proceeding.

(b) Unless otherwise provided by law, any such information received by a public employer through a drug-testing program, or obtained by a public employee under this chapter, is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, until introduced into the public record pursuant to a hearing conducted under s. 443.151(4). This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14.

(c) Confidentiality may be waived only by express and informed written consent executed by the person tested. The consent form must contain, at a minimum:

1. The name of the person who is authorized to obtain the information;

2. The purpose of the disclosure;
3. The precise information to be disclosed;
4. The duration of the consent; and
5. The signature of the person authorizing release of the information.

Section 3. Section 303(a)(1) of the Social Security Act has been interpreted to prohibit disclosure of information that would deter individuals claiming unemployment insurance benefits from exercising their rights under the law, or that would deter employers from furnishing information necessary for program operation. Accordingly, the Legislature finds that:

(1) It is necessary to extend the current exemption from public records requirements for identifying information concerning an employer or employee held by public employees in the performance of their public duties under chapter 443, Florida Statutes, to clarify that the exemption extends to determinations that reveal such identifying information.

(2) It is necessary to exempt from public records requirements drug-test results and related records obtained pursuant to determinations of compensability under the Unemployment Compensation Law.

These exemptions are a public necessity in that harm caused by releasing such information outweighs any public benefit that might be derived from releasing such information. Information contained in such records is of a sensitive and personal nature, could be used to discriminate against the person to whom the record pertains, and could cause harm to the professional reputation of such individual. Fear of disclosure could deter individuals from exercising their rights under the law.

Section 4. Subsection (1) of section 409.7015, Florida Statutes, is amended to read:

409.7015 Unemployment compensation data availability.—

(1) In order to further the research and demonstration objectives of s. 408.0014, the Division of Unemployment Compensation, Department of Labor and Employment Security, shall, notwithstanding the provisions of s. 443.1715 s. 443.171(7), make available to the Florida Health Access Corporation such information as the corporation requests so as to facilitate contact with employers who may be eligible for participation in the program of health insurance benefits arranged through the corporation. Such information as is obtained by the corporation through the provisions of this section is confidential and exempt from the provisions of s. 119.07(1). Neither the corporation nor the staff or agents of the corporation shall release to any state or federal agency, to any private business or person, or to any other entity any information received through the operation of this section. This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14. Violation of this section shall be regarded as a violation of s. 443.1715 s. 443.171(7).

Section 5. Notwithstanding section 7 of chapter 93-414, Laws of Florida, subsection (7) of section 443.171, Florida Statutes, as amended by section 5 of chapter 93-414, Laws of Florida, is not repealed on April 15, 1994, as scheduled by that act, but subsection (7) of section 443.171, Florida Statutes, is revived and readopted.

Section 6. This act shall take effect upon becoming a law and if this act does not become a law before April 15, 1994, section 5 of this act shall operate retroactively to that date.

And the title is amended as follows:

In title, strike everything before the enacting clause and insert: A bill to be entitled An act relating to confidentiality of information held pursuant to the Unemployment Compensation Law; repealing s. 443.171(12), F.S., which provides for disclosure of certain information; amending s. 443.171, F.S.; deleting reference to certain confidential information; creating s. 443.1715, F.S.; providing for confidentiality of information revealing an employing unit's or individual's identity under the Unemployment Compensation Law; providing for application of confidentiality provisions to employees and agencies receiving confidential information; authorizing the furnishing of certain reports to claimants; providing for disclosure of drug test information in connection with proceedings to determine compensability under said law, other actions under said law, and related disciplinary proceedings; providing for confidentiality and inadmissibility as evidence of such information for all other purposes; providing for disclosure pursuant to certain hearings; providing for future review and repeal; providing requirements for waiver of confidentiality;

providing a finding of public necessity; amending s. 409.7015, F.S., to conform; reviving and readopting s. 443.171(7), F.S., relating to records and reports of the Division of Unemployment Compensation of the Department of Labor and Employment Security; providing for retroactive application; providing an effective date.

On motion by Senator Grant, by two-thirds vote **SB 1820** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39 Nays—1

SB 1794—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing for identifying information about current and former assistant state attorneys and their families to be confidential in the same manner as is information about current and former law enforcement officers and their families; providing legislative findings; providing an effective date.

—was read the second time by title.

Five amendments were adopted to **SB 1794** to conform the bill to **HB 1633**.

Pending further consideration of **SB 1794** as amended, on motions by Senator Weinstein, by two-thirds vote **HB 1633** was withdrawn from the Committees on Criminal Justice and Governmental Operations.

On motion by Senator Weinstein, the rules were waived and—

HB 1633—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing for identifying information about current and former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors and their families to be confidential in the same manner as is information about current and former law enforcement officers and their families; providing legislative findings; providing an effective date.

—a companion measure, was substituted for **SB 1794** and read the second time by title. On motion by Senator Weinstein, by two-thirds vote **HB 1633** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

On motions by Senator Beard, by two-thirds vote **HB 2541** was withdrawn from the Committees on Governmental Operations; Corrections, Probation and Parole; and Appropriations.

On motion by Senator Beard—

HB 2541—A bill to be entitled An act relating to settlement of suits involving executive branch agencies or officers; amending s. 45.062, F.S.; providing additional criteria for negotiated settlement of such suits; providing an effective date.

—a companion measure, was substituted for **SB 678** and read the second time by title. On motion by Senator Beard, by two-thirds vote **HB 2541** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

CS for SB 1780—A bill to be entitled An act relating to financial matters; providing for a reduced permit processing fee or waiver for small counties and municipalities; providing a fee cap; providing an effective date.

—was read the second time by title.

Senator Williams moved the following amendment which was adopted:

Amendment 1—On page 1, strike all of lines 12 and 13 and insert: Management Districts shall

On motion by Senator Williams, by two-thirds vote **CS for SB 1780** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40 Nays—None

SENATOR WEINSTEIN PRESIDING

On motions by Senator Burt, by two-thirds vote **HB 1055** was withdrawn from the Committees on Personnel, Retirement and Collective Bargaining; and Appropriations.

On motion by Senator Burt—

HB 1055—A bill to be entitled An act relating to disaster service volunteer leave; creating s. 110.120, F.S.; creating the "Florida Disaster Volunteer Leave Act," relating to administrative leave; providing definitions; authorizing disaster service volunteer leave under certain conditions; providing an effective date.

—a companion measure, was substituted for **SB 1012** and read the second time by title. On motion by Senator Burt, by two-thirds vote **HB 1055** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

Consideration of **SB 526** was deferred.

On motions by Senator Jennings, by two-thirds vote **HB 1105** was withdrawn from the Committees on Transportation and Judiciary.

On motion by Senator Jennings—

HB 1105—A bill to be entitled An act relating to driver licenses; amending s. 322.15, F.S.; requiring law enforcement officers issuing traffic citations to persons who do not have a driver license to require the person to place a fingerprint on the citation; providing an effective date.

—a companion measure, was substituted for **SB 1848** and read the second time by title. On motion by Senator Jennings, by two-thirds vote **HB 1105** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 1854—A bill to be entitled An act relating to state moneys; prescribing criteria for withdrawing moneys from the Budget Stabilization Fund; providing an effective date.

—was read the second time by title.

Senator Harden moved the following amendment which was adopted:

Amendment 1—On page 1, strike line 22 and insert: Florida Statutes, or declared by law passed by a two-thirds vote of each house of the Legislature. Such a transfer must be

On motion by Senator Jenne, by two-thirds vote **SB 1854** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39 Nays—None

On motions by Senator Foley, by two-thirds vote **CS for HB's 1705 and 1781** was withdrawn from the Committees on Agriculture and Appropriations.

On motions by Senator Foley, the rules were waived and by two-thirds vote—

CS for HB's 1705 and 1781—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 525.01, F.S., relating to the sale of petroleum fuel; deleting requirement to file the name, brand, or trademark with the department; amending s. 525.035, F.S., to conform; amending s. 525.07, F.S.; providing requirements relating to operation and adjustment of petroleum fuel measuring devices; amending s. 525.08, F.S.; revising provisions relating to department access; amending s. 525.16, F.S.; revising penalties; amending ss. 527.02, 527.021, 527.06, 527.13, and 527.15, F.S., relating to regulation of the sale of liquefied petroleum gas; providing for deposit of moneys in the

General Inspection Trust Fund; amending s. 570.02, F.S.; including seafood in the definition of "agriculture" for certain purposes; amending s. 570.07, F.S.; providing department responsibility for issuing information concerning food safety and for food recovery programs; renumbering provisions relating to advisory committees; creating s. 570.0725, F.S.; providing legislative intent and department functions relative to food recovery; amending s. 570.36, F.S., relating to animal disease diagnostic laboratories; amending ss. 570.23, 570.34, 570.38, 570.42, 570.541, 570.543, 571.28, 576.091, 580.151, 581.186, 582.06, 586.161, and 599.002, F.S.; correcting cross references; deleting obsolete language; amending s. 573.114, F.S.; providing for mitigation of problems of agricultural commodity producers; amending s. 578.08, F.S.; revising provisions relating to application of the Florida Seed Law; providing an effective date; providing for retroactive effect.

—a companion measure, was substituted for **CS for CS for SB 530** and by two-thirds vote read the second time by title.

Senator Silver moved the following amendments which were adopted:

Amendment 1—On page 8, line 3, strike "fresh" and insert: meat,

Amendment 2—On page 10, lines 16 and 17, strike "and slightly blemished fresh" and insert: meat,

Amendment 3—On page 10, line 20, strike "fresh" and insert: meat,

Amendment 4—On page 11, line 1, strike "fresh" and insert: meat,

Amendment 5—On page 11, line 31, strike "fresh"

Amendment 6—On page 12, before line 1, insert:

(6) A food recovery program or food bank shall only recover cost incurred in performance of it service.

On motion by Senator Foley, by two-thirds vote **CS for HB's 1705 and 1781** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

On motions by Senator Kiser, by two-thirds vote **CS for HB 1689** was withdrawn from the Committees on Governmental Operations and Appropriations.

On motions by Senator Kiser, by two-thirds vote—

CS for HB 1689—A bill to be entitled An act relating to the Florida Sesquicentennial Commission; creating the commission to lead the celebration of the 150th anniversary of Florida statehood; providing for members, officers, meetings, and reimbursement for travel and expenses incurred in the performance of official duties; providing powers and duties; providing appropriations; providing effective and expiration dates.

—a companion measure, was substituted for **SB 1878** and by two-thirds vote read the second time by title. On motion by Senator Kiser, by two-thirds vote **CS for HB 1689** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40 Nays—None

Consideration of **CS for SB 1158** was deferred.

On motions by Senator Jones, by two-thirds vote—

CS for HB 1259—A bill to be entitled An act relating to dissolution of marriage, support, and custody; amending s. 61.075, F.S.; revising language with respect to the date for determining the value of assets and the amount of liabilities identified or classified as marital; amending s. 61.30, F.S.; providing that the trier of fact, after considering all relevant factors, may order payment of child support which varies from guideline amounts; amending s. 61.401, F.S.; revising language with respect to appointment of the guardian ad litem; amending s. 61.402, F.S.; authorizing use of certain designated funds to conduct security background investigations; amending s. 61.403, F.S.; providing that a guardian ad litem shall act as next friend, investigator or evaluator, not as attorney or advo-

cate, but shall act in the child's best interest; amending s. 415.503, F.S.; redefining the term "guardian ad litem" to conform to the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1940** and by two-thirds vote read the second time by title. On motion by Senator Jones, by two-thirds vote **CS for HB 1259** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40 Nays—None

On motions by Senator Crist, by two-thirds vote **CS for HB 309** was withdrawn from the Committees on Judiciary; and Rules and Calendar.

On motions by Senator Crist, by two-thirds vote—

CS for HB 309—A bill to be entitled An act relating to referenda; amending s. 101.161, F.S.; providing filing requirements for challenges to the legal sufficiency of the ballot language of a constitutional amendment proposed by the constitution revision commission or the taxation and budget reform commission; providing for revision of the ballot language of such a proposed constitutional amendment under certain circumstances; providing an effective date.

—a companion measure, was substituted for **SB 2090** and by two-thirds vote read the second time by title.

Senator Bankhead moved the following amendment which was adopted:

Amendment 1 (with Title Amendment)—On page 1, line 14, insert:

Section 1. (1) Effective July 1, 1994, there is created the Citizen Initiative Alternative Task Force to study alternative methods for citizens to directly impact the course of government.

(2) The task force shall be housed in the Department of State for the administrative purposes and shall be composed of seven members, two to be appointed by the Governor, one to be appointed by the President of the Senate, one to be appointed by the Speaker of the House of Representatives, one to be appointed by the Chief Justice of the Supreme Court, one to be appointed by the Secretary of State and one to be appointed by the Attorney General.

(3) The task force shall meet as soon as possible after the members are appointed and shall elect a chairman, and shall meet as often as necessary at the call of the chairman. The task force shall submit a report and recommendations concerning alternative citizen initiatives before December 31, 1994, to the Governor, the Speaker of the House of Representatives and the President of the Senate, the Chief Justice of the Supreme Court, the Secretary of State and the Attorney General.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, line 2, strike "referenda" and insert: constitutional amendments; creating the Citizen Initiative Alternative Task Force to recommend ways to amend the State Constitution; providing for membership and duties; requiring a report;

Senator Crenshaw moved the following amendment:

Amendment 2 (with Title Amendment)—On page 3, between lines 7 and 8, insert:

Section 2. Section 106.1445, Florida Statutes, is created to read:

106.1445 Circumvention of campaign contribution limits prohibited.—

(1) Inasmuch as the Legislature has determined that the imposition and enforcement of campaign contribution limits are essential to maintaining public confidence in the electoral process, a person who seeks to qualify for nomination or election to a public office or who holds an elective public office may not use a petition drive for a constitutional amendment to evade the limitations on campaign contributions prescribed by law.

(2) Within 1 year prior to qualifying as a candidate for nomination or election to public office, a person may not appear, or allow his name or image to be used, in any print, broadcast, cable, or mail advertisement that supports or opposes a constitutional amendment, unless:

(a) The advertisement is paid for by that person or a campaign account established under s. 106.021; or

(b) The political committee or committee of continuous existence that is promoting the constitutional amendment petition, or proposed constitutional amendment, establishes a maximum contribution limit of \$500 or less for a contribution from any person.

(3) In addition to any other penalty provided under s. 106.265, a person who violates subsection (2) is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 11, insert: creating s. 106.1445, F.S.; prohibiting a candidate for public office from allowing his name or image to be used in support or opposition of a constitutional amendment for a specified period prior to qualification; providing a penalty;

Senator Crenshaw moved the following amendment to **Amendment 2**:

Amendment 2A—On page 1, line 24, strike "Within 1 year prior to" and insert: Upon

On motion by Senator Crist, further consideration of **CS for HB 309** with pending **Amendment 2A** was deferred.

THE PRESIDENT PRESIDING

MOTION

On motion by Senator Kirkpatrick, the rules were waived and time of recess was extended until final action on **CS for SB 1158**.

CS for SB 1158—A bill to be entitled An act relating to black business enterprises; abrogating the repeal of ss. 288.707, 288.708, 288.709, 288.71, 288.711, 288.712, 288.713, 288.714, 657.042(4)(b), 658.67(4)(g), F.S., relating to the Florida Black Business Investment Board, the Florida Investment Incentive Trust Fund, Florida guarantor funds established by the board, the Black Contractors Bond Trust Fund, the Black Business Loan Guaranty Trust Fund, and the Black Business Loan Guaranty Program Administrative and Loss Reserve Fund, capital participation instruments issued by the board, and the board's annual report, and provisions allowing a credit union, bank, trust company, or capital stock association to invest a specified portion of its funds in a capital participation instrument or other evidence of indebtedness that is issued by the board; amending s. 288.71, F.S.; requiring rules; amending s. 288.711, F.S.; providing limitations on direct loans to black business enterprises; providing an effective date.

—was read the second time by title.

Senator Bankhead moved the following amendments which were adopted:

Amendment 1—On page 1, line 28 through page 2, line 2, strike all said lines and renumber subsequent sections.

Amendment 2—In title, on page 1, strike all of lines 3-21 and insert: requiring rules;

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 3—On page 2, strike line 2 and insert: are revived and readopted. As reauthorized, the Florida Black Business Investment Board shall:

(1) Establish certification criteria for Black Business Investment Corporations. Certification criteria shall include administrative capacity, fiduciary controls and, in the case of existing Black Business Investment Corporations, solvency and soundness of prior loan decisions;

(2) Develop a memorandum of understanding with Enterprise Florida that outlines a strategy for collaboration with Capital, Innovation and Jobs and Education Partnerships;

(3) Include in the criteria for loan decisions, occupational forecasting results set forth in s. 216.136(10), Florida Statutes which target high growth jobs;

(4) Establish, in communities that are not currently served by an existing Black Business Investment Corporation, memoranda of understanding with local financial institutions that will provide loan guarantees for loans to black business enterprises;

(5) Develop memoranda of understanding with the Departments of Labor and Employment Security, Education, Transportation, Management Services and Commerce, as well as the State Board of Regents, detailing efforts of common interest and collaborations to expand black business development;

(6) Intensify efforts to increase the number of the black business enterprises in construction and construction-related projects, focusing on federal, state and local government financed construction projects; and

(7) Annually, prepare a report detailing the performance of each Black Business Investment Corporation, addressing the number of jobs created and/or retained, success and failure rates among loan recipients and the amount of funds leveraged from other sources.

On motion by Senator Turner, by two-thirds vote **CS for SB 1158** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39 Nays—None

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special and Continuing Order Calendar for Monday, April 4 and Tuesday, April 5, 1994: **CS for CS for SB 1332, SB 2184, CS for SB 2998, SB 1254, CS for SB 1440, SB 1546, SB 3098, CS for SB 1252, CS for SB 1922, SB 40, CS for CS for CS for SB 1018, SB 2730, CS for CS for SB 1950, CS for SB 234, CS for SB 362, CS for SB 2246, CS for SB 330, CS for SB 658, SB 284, CS for SB 636, SB 2414, SB 616, CS for SB 1646, SB 1754, SB 1988, SB 1820, SB 1794, SB 678, CS for SB 1780, SB 1012, SB 526, SB 1848, SB 1854, CS for CS for SB 530, SB 1878, CS for SB 1158, CS for SB 1940, SB 2090, SB 2092, CS for SB 2476, SB 2580, CS for SB 2306, CS for SB 2598, CS for SB 1258, CS for SB 1210, CS for SB 1448, CS for SB 1784, CS for SB 1930, SB 2584, SB 2238, CS for SB 2256, CS for CS for SB 1422, SB 1376, CS for CS for SB 1318, CS for SB 1164, CS for SB 1488, SB 1504, SB 1584, SB 2274**

Respectfully submitted,
George Kirkpatrick, Chairman

The Committee on Rules and Calendar submits the following bills to be placed on the Local Bill Calendar for Monday, April 4, 1994: **SB 2942, SB 2948, SB 3040, SB 3062, SB 3068, SB 3072, SB 3074, SB 3112, SB 3114, SB 3116, SB 3124, SB 3126, HB 703, HB 817, HB 1041, HB 1543**

Respectfully submitted,
George Kirkpatrick, Chairman

The Committee on Community Affairs recommends the following pass: **SB 2724**

The bill was referred to the Committee on Natural Resources and Conservation under the original reference.

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: **SB 280**

The Committee on Education recommends committee substitutes for the following: **SB 310, SB 1778, SB 1972, SB 2064, SB 2574, SB 2638, SB 3102**

The Committee on Executive Business, Ethics and Elections recommends a committee substitute for the following: **SB 2910**

The Committee on Health Care recommends a committee substitute for the following: **CS for SB 2926**

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 1994

The Committee on Health Care recommends committee substitutes for the following: SB 1364, Senate Bills 2348, 2354, 2434 and 2642, Senate Bills 2412, 2748 and 3024, SB 3060

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Commerce under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 2918

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 2326

The Committee on Transportation recommends committee substitutes for the following: Senate Bills 460 and 1710, SB 1616, CS for SB's 1718 and 2242, SB 2118

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: Senate Bills 264, 270, 506 and 2378

The bills with committee substitute attached were referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Transportation recommends a committee substitute for the following: SB 2468

The bill with committee substitute attached was referred to the Committee on Judiciary under the original reference.

The Committee on Transportation recommends a committee substitute for the following: CS for SB 1750

The bill with committee substitute attached was placed on the calendar.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

MOTION

On motion by Senator Myers, the rules were waived and by unanimous consent the following bill was introduced:

By Senator Myers—

SB 3150—A bill to be entitled An act for the relief of Lori Burns, wife of Samuel A. Burns, deceased; providing an appropriation to compensate her for moneys paid into the Florida Retirement System by her husband, Samuel A. Burns; providing an effective date.

—was referred to the Special Master; and the Committee on Finance, Taxation and Claims.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary and Senators Silver, Johnson, Brown-Waite, Dudley, Gutman, Siegel and Meadows—

CS for SB's 264, 270, 506 and 2378—A bill to be entitled An act relating to adoption; creating a study commission on adoption within the Executive Office of the Governor; providing for membership of the study

commission; specifying a date upon which the study commission is abolished; providing for per diem and travel expenses for members of the study commission; specifying duties of the study commission; requiring a report; providing an effective date.

By the Committee on Corrections, Probation and Parole; and Senator Burt—

CS for SB 280—A bill to be entitled An act relating to criminal justice; amending s. 775.084, F.S.; redefining the term "habitual violent felony offender" to authorize extended terms of imprisonment for persons convicted of a lewd or lascivious assault or act upon or in the presence of a child; prohibiting eligibility for incentive gain-time; amending s. 800.04, F.S.; prohibiting eligibility for gain-time for persons previously convicted of committing a lewd, lascivious, or indecent assault or act upon or in the presence of a minor child; amending s. 775.0877, F.S.; conforming a cross-reference; creating s. 943.1712, F.S.; prescribing instruction in handling stalking cases as an initial certification requirement for law enforcement officers; amending s. 943.1701, F.S.; providing for basic training and continuing education of officers with respect to stalking cases; amending s. 921.0012, F.S., relating to the offense severity ranking chart; revising the level-7 offense level to include aggravated stalking offenses; providing an effective date.

By the Committee on Education and Senator Turner—

CS for SB 310—A bill to be entitled An act relating to the expulsion of public school students; amending s. 228.041, F.S.; prescribing the period of expulsion; amending s. 230.33, F.S.; authorizing school superintendents to extend a pupil's suspension; amending s. 230.2316, F.S.; requiring each school district dropout prevention program to include individual and group counseling, for a minimum of one class period, not two class periods, daily; amending s. 232.2462, F.S.; providing that a district school board may establish additional requirements that a student must meet in order to receive full credit in a full-year course; amending s. 236.013, F.S.; amending the definition of the term "full-time equivalent student" for purposes of financing the public educational system; providing for school boards to implement academic buy-back programs; providing an effective date.

By the Committee on Transportation and Senators Foley and Sullivan—

CS for SB's 460 and 1710—A bill to be entitled An act relating to license plates; providing for the issuance of military veterans license plates to honor veterans; providing fees; providing for the use of such fees; requiring a minimum number of applications before the license plate may be developed; providing for the discontinuance of such license plates; providing an effective date.

By the Committee on Health Care and Senator Forman—

CS for SB 1364—A bill to be entitled An act relating to health care; amending s. 20.19, F.S.; conforming provisions to the transfer of the Medicaid Program Office from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 20.42, F.S.; deleting obsolete dates; clarifying that the Division of State Health Purchasing within the agency shall select an administrator of the state self-insured health insurance plan; amending ss. 154.304, 154.306, 154.308, 154.309, 154.31, 154.3105, 154.312, F.S., relating to the Florida Health Care Responsibility Act of 1988; conforming provisions to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 189.415, F.S., to conform to the act; amending s. 381.0261, F.S.; providing for the distribution of summaries of the Florida Patient's Bill of Rights and Responsibilities; reassigning duties from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 381.0035, F.S., relating to human immune deficiency virus and acquired immunodeficiency syndrome education requirements for certain employees and clients of certain health care facilities; authorizing the Agency for Health Care Administration to enforce the requirements as appropriate; amending s. 381.0605, F.S., relating to surveys of state hospital facilities; reassigning duties from the

department to the agency; amending s. 381.6021, F.S., relating to organ and tissue procurement; reassigning duties from the department to the agency; amending s. 381.6022, F.S., relating to organ, tissue, or eye procurement certification; reassigning certification authority from the department to the agency; deleting obsolete provisions; amending s. 381.6023, F.S., relating to the Organ and Tissue Procurement and Transplantation Advisory Board; reassigning oversight authority from the department to the agency; deleting obsolete language relating to the initial appointments of board members; amending s. 381.6024, F.S., relating to the Organ and Tissue Procurement Trust Fund; reassigning the duty to assess fees and provide penalties from the department to the agency; amending s. 381.6025, F.S., relating to physician supervision of certain organ, tissue, and eye procurement coordinators; reassigning duties from the department to the agency; amending s. 383.302, F.S., relating to birth centers; defining the term "agency" and deleting the term "department" from definitions used in ss. 383.30-383.335, F.S.; amending s. 383.305, F.S., relating to the licensure of birth centers; reassigning duties relating to the licensure and denial, suspension, and revocation of licenses from the department to the agency; clarifying provisions; amending s. 383.309, F.S., relating to minimum standards for birth centers and rulemaking authority; reassigning rulemaking and enforcement authority from the department to the agency; amending s. 383.31, F.S., relating to birth center clients and informed consent; reassigning duties from the department to the agency; amending s. 383.32, F.S., relating to birth center clinical records; reassigning duties from the department to the agency; amending s. 383.324, F.S., relating to birth center inspections and investigations; reassigning the duty to conduct inspections and investigations and to charge inspection fees from the department to the agency; amending s. 383.325, F.S., relating to birth center inspection reports; conforming a cross-reference to the transfer of inspection duties from the department to the agency; amending s. 383.327, F.S., relating to birth and death records; requiring a report be made to the agency, rather than to the department; amending s. 383.33, F.S., relating to administrative sanctions applicable to birth centers; reassigning the duty to impose penalties from the department to the agency; amending s. 383.331, F.S., relating to injunctive relief applicable to birth centers; reassigning the authority to bring certain legal actions from the department to the agency; providing that an action brought under this section is cumulative to other remedies; amending s. 383.335, F.S., relating to partial exemptions from birth center regulations; reassigning rulemaking authority from the department to the agency; amending s. 390.001, F.S., relating to the termination of pregnancies; reassigning duties from the department to the agency; amending s. 390.011, F.S.; providing definitions pertaining to abortion regulation; defining the term "agency" and deleting the term "department" from definitions relating to ch. 390, F.S.; amending s. 390.012, F.S., relating to the administration of abortion regulation and disposal of fetal remains; reassigning duties from the department to the agency; amending s. 390.014, F.S., relating to licensure of abortion clinics; reassigning duties from the department to the agency; amending s. 390.015, F.S., relating to abortion clinic licensure; reassigning duties from the department to the agency; amending s. 390.016, F.S.; relating to the expiration and renewal of abortion clinic licenses; reassigning duties from the department to the agency; amending s. 390.017, F.S.; providing grounds for certain disciplinary actions against abortion clinic licenses; providing for revocation, suspension, or nonrenewal of such licenses by the agency, rather than by the department; amending s. 390.018, F.S.; providing alternative disciplinary actions against abortion clinic licenses; allowing the agency, rather than the department, to impose and enforce an administrative fine; amending s. 390.019, F.S., relating to inspections and investigations of abortion clinics; providing for the agency, rather than the department, to conduct these inspections and investigations; amending s. 390.021, F.S.; providing for the agency, rather than the department, to institute injunction proceedings against unlicensed abortion clinics; amending s. 408.02, F.S.; conforming a cross-reference; amending s. 408.031, F.S.; correcting a cross-reference; amending s. 408.032, F.S.; revising definitions; amending s. 408.033, F.S., relating to local and state health planning; reassigning duties from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; providing for denial of relicensure for failure to pay facility fees; amending s. 408.034, F.S.; assigning duties and responsibilities to the Agency for Health Care Administration; amending s. 408.035, F.S.; revising review criteria; amending s. 408.036, F.S.; providing projects subject to review; assigning duties and responsibilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 408.037, F.S.; reassigning duties from the department to the agency; deleting reference to a federal capital expenditure review program; amending s. 408.038, F.S.; providing for the agency, rather than the department, to receive certain

fees; correcting a cross-reference; amending s. 408.039, F.S., relating to the review process; reassigning duties from the department to the agency; correcting cross-references; amending s. 408.040, F.S., relating to conditions and monitoring; reassigning duties from the department to the agency; correcting cross-references; amending s. 408.041, F.S., relating to penalties; correcting cross-references; amending s. 408.043, F.S.; eliminating special provisions for specified nursing homes; amending s. 408.044, F.S., relating to injunctions; reassigning duties from the department to the agency; correcting cross-references; amending s. 408.045, F.S., relating to competitive sealed proposals; reassigning duties; correcting cross-references; amending s. 408.05, F.S.; conforming provisions to the transfer of the State Center for Health Statistics from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; conforming cross-references; repealing a listing of the types of data to be collected by the State Center for Health Statistics; deleting an obsolete requirement for a report on the status of the establishment of the State Center for Health Statistics; deleting an obsolete requirement for the appointment of the initial members of the State Comprehensive Health Information System Advisory Council; amending s. 408.061, F.S.; listing types of data to be collected by the Agency for Health Care Administration; deleting an obsolete reference to the final Florida Health Plan; amending s. 408.062, F.S.; deleting obsolete references to certain reports; deleting an obsolete requirement for a study and report on establishment of a category of medically indigent hospital patients; amending s. 408.072, F.S.; conforming a cross-reference; amending s. 408.70, F.S.; providing legislative intent with respect to choice of health care plans; amending s. 408.701, F.S.; revising definitions of terms used in ss. 408.70-408.76, F.S.; amending s. 408.702, F.S.; amending provisions that specify the beneficiaries of community health purchasing alliances; clarifying that community health purchasing alliances that collect premiums may be liable for uncollected premiums; conforming terms to the revised definitions provided in this act; conforming cross-references; requiring all accountable health partnerships to have grievance procedures that conform to certain statutes; amending s. 408.703, F.S.; conforming terms to the revised definitions; amending s. 408.704, F.S.; deleting a limitation on contracts for startup funds for community health purchasing alliances; deleting obsolete dates relating to activities of the advisory data committee; amending s. 408.7042, F.S.; adding point-of-service products to the list of health benefit plans that the Department of Management Services must offer to state employees, if health care coverage for state employees is purchased through community health purchasing alliances; clarifying provisions relating to the purchase of health care for Medicaid, MedAccess, or Medicaid buy-in recipients through community health purchasing alliances; amending s. 408.7045, F.S.; clarifying provisions relating to community health purchasing alliance marketing requirements; amending s. 408.705, F.S.; changing the term "alliance region" to "alliance district" to conform to other related statutory provisions; amending s. 408.7056, F.S.; clarifying provisions relating to the statewide provider and subscriber assistance program; amending s. 408.706, F.S.; conforming terms to the revised definitions in s. 408.701, F.S.; clarifying conditions under which an accountable health partnership must provide advance notice of its intent to cease offering a health benefit plan; amending ss. 409.2673, 409.2675, F.S., relating to the shared county and state health care program for low-income persons; conforming provisions to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending ss. 409.901, 409.902, 409.903, 409.904, 409.905, 409.906, 409.907, 409.908, 409.9081, 409.910, 409.911, 409.9112, 409.9113, 409.9115, 409.912, 409.913, 409.914, 409.915, 409.916, 409.919, 409.920, F.S., relating to the Medicaid program; conforming provisions to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 409.9116, F.S.; conforming a cross-reference; amending s. 455.239, F.S.; providing for the licensure of designated health care services by the agency, rather than the department; correcting an erroneous cross-reference; amending s. 483.610, F.S.; for purposes relating to the regulation of cholesterol screening, adding a definition of the term "agency" and deleting the term "department"; amending s. 483.613, F.S.; providing for the licensure of cholesterol screening centers by the agency, rather than the department; amending s. 483.615, F.S.; providing for the agency, rather than the department, to issue, renew, deny, and suspend licenses for cholesterol screening and to set fees therefor; amending s. 483.616, F.S., relating to standards of operation for cholesterol screening centers; reassigning a rulemaking duty from the department to the agency; amending s. 483.620, F.S., reassigning duties relating to the inspection and investigation of cholesterol screening centers from the department to the agency; amending s. 483.621, F.S.; providing for public access to cho-

lesterol screening center inspection reports; changing cross-references to conform to the transfer of inspection duties from the department to the agency; amending s. 483.622, F.S.; providing for the agency, rather than the department, to impose administrative penalties relating to cholesterol screening centers; amending s. 483.624, F.S.; providing for the agency, rather than the department, to seek injunctive relief against cholesterol screening centers; amending s. 641.19, F.S., which provides definitions relating to health maintenance organizations; revising the section and adding a definition for the term "agency"; amending s. 641.21, F.S., relating to application for certificates of authority for health maintenance organizations; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.22, F.S., which provides for the issuance of certificates of authority; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.23, F.S., which provides for revocation or cancellation of certificate of authority; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.261, F.S., which provides certain reporting requirements applicable to health maintenance organizations; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.28, F.S., which provides a civil remedy for enforcement of health maintenance organization contracts; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.402, F.S., which provides definitions relating to prepaid health clinics; revising the section and adding a definition for the term "agency"; amending s. 641.405, F.S., relating to a certificate of authority to operate a prepaid health clinic; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.406, F.S., which provides for issuance of a certificate of authority to operate a prepaid health clinic; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.411, F.S., which provides certain reporting requirements applicable to prepaid health clinics; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.412, F.S., relating to regulatory fees for prepaid health clinics; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.443, F.S., which provides for temporary restraining orders against prepaid health clinics; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.454, F.S., which provides for civil actions to enforce prepaid health clinic contracts; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.455, F.S., which provides for the disposition of moneys collected with respect to prepaid health clinic regulation; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.47, F.S., which provides definitions relating to the quality of services provided by health maintenance organizations and prepaid health clinics; revising the section and adding a definition for the term "agency"; amending s. 641.48, F.S., which provides for the purpose and application of certain provisions; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.49, F.S., which provides an application procedure for certification of health maintenance organizations and prepaid health clinic providers; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.495, F.S., which provides certain requirements applicable to the issuance and maintenance of a health care provider certificate; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.511, F.S.; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.512, F.S., relating to accreditation and external quality-assurance assessments; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.515, F.S.; providing for investigation of health maintenance organizations and prepaid health clinics; making technical revisions; amending s. 641.52, F.S., which provides various regulatory sanctions applicable to health maintenance organizations and prepaid health clinics; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.54, F.S., which provides for disclosure by health maintenance organizations and prepaid health clinics

of certain hospital and physician information; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.55, F.S., relating to internal risk management; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; updating references to the former Department of Professional Regulation; deleting obsolete provisions; amending s. 641.56, F.S., which provides for rulemaking authority; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.57, F.S., which provides for disposition of moneys collected from regulation; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.58, F.S., which provides for a regulatory assessment; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; otherwise improving the clarity of the foregoing sections; amending s. 651.118, F.S., to conform to the act; amending ss. 732.915, 732.921, F.S.; providing for the agency, rather than the department, to establish and implement a program relating to organ and tissue donations; amending s. 732.9215, F.S.; providing for the agency, rather than the department, to develop, implement, and report to the Legislature about education programs relating to anatomical gifts; amending s. 732.922, F.S.; providing that the agency, rather than the department, is to make rules relating to educating hospital personnel who have the duty to request organ donations; providing an effective date.

By the Committee on Transportation and Senator Williams—

CS for SB 1616—A bill to be entitled An act relating to license plates; providing for the issuance of license plates to commemorate firefighters and paramedics; providing fees; providing for the use of such fees; providing for deauthorization; providing an effective date.

By the Committees on Transportation and Criminal Justice and Senators Grant, Bankhead and Forman—

CS for CS for SB's 1718 and 2242—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; providing an exemption to licensing requirements; providing additional conditions of probation for a conviction for driving while under the influence; providing an effective date.

By the Committees on Transportation and Education and Senator Jones—

CS for CS for SB 1750—A bill to be entitled An act relating to airport zoning regulations; amending s. 333.03, F.S.; revising regulations with respect to aviation school facilities within an area contiguous to an airport; providing an effective date.

By the Committee on Education and Senator Williams—

CS for SB 1778—A bill to be entitled An act relating to centers of technology innovation at community colleges; creating s. 240.3335, F.S.; providing for designation of centers; providing center benefits; providing for funding; providing for center instruction; providing for a board of directors and duties thereof; requiring fees and authorizing contracts; authorizing grants to centers; amending s. 240.301, F.S.; revising the mission and funding of public community colleges; providing an effective date.

By the Committee on Education and Senator Turner—

CS for SB 1972—A bill to be entitled An act relating to early education and child care; amending s. 230.2305, F.S.; revising provisions relating to children served by the prekindergarten early intervention program; providing for Auditor General review; providing for universal service; creating s. 230.2306, F.S.; providing for the availability of home visitor programs and intensive parent education programs; providing for funding; providing an effective date.

By the Committee on Education and Senator Turner—

CS for SB 1994—A bill to be entitled An act relating to rehabilitation of persons having disabilities; amending s. 316.193, F.S., relating to driving under the influence; conforming a reference to the Impaired Drivers and Speeders Trust Fund as renamed in this act; amending s. 318.21, F.S., relating to disposition of civil penalties by county courts; conforming a reference to that trust fund; amending s. 395.404, F.S., relating to trauma registry; deleting a cross-reference to a section repealed by this act; amending s. 413.20, F.S.; revising and adding definitions; providing applicability to the part; amending s. 413.205, F.S.; revising provisions relating to collateral payments; creating s. 413.215, F.S.; providing for status in workers' compensation proceedings; amending s. 413.22, F.S.; providing for Division of Vocational Rehabilitation rules; amending s. 413.23, F.S.; revising terminology; providing authorization to prepare a state plan; amending s. 413.24, F.S.; revising provisions relating to cooperation with the Federal Government; amending ss. 413.26 and 413.27, F.S.; revising provisions relating to cooperative agreements; creating s. 413.273, F.S.; providing benefits and requirements for members of certain councils; amending s. 413.275, F.S.; revising and renaming the Florida Council for the Hearing Impaired; amending s. 413.28, F.S.; revising provisions relating to federal funds; amending s. 413.29, F.S., relating to gifts; amending s. 413.30, F.S.; revising eligibility for vocational rehabilitation services; amending s. 413.31, F.S.; revising terminology; amending s. 413.32, F.S.; providing for rules relating to title to and disposal of equipment; amending s. 413.341, F.S.; revising provisions relating to confidential records; amending s. 413.36, F.S.; revising terminology; amending s. 413.371, F.S.; authorizing contracts for independent living program services; creating s. 413.393, F.S.; providing for a state plan for independent living; amending s. 413.395, F.S.; revising provisions relating to the Florida Independent Living Advisory Council and renaming the council; providing duties; amending s. 413.40, F.S.; revising provisions relating to division powers for independent living services; amending s. 413.401, F.S.; revising eligibility for independent living services; amending s. 413.405, F.S.; revising provisions relating to the rehabilitation advisory council; creating s. 413.407, F.S.; creating the Assistive Technology Advisory Council; prescribing its duties; amending ss. 413.41 and 413.42, F.S., relating to cooperation with state and federal agencies; amending s. 413.43, F.S., relating to utilization of funds; amending s. 413.46, F.S.; revising legislative intent relating to referral of certain persons; creating s. 413.465, F.S.; providing a short title; amending s. 413.48, F.S.; revising provisions relating to a central registry; amending s. 413.49, F.S.; providing Division of Vocational Rehabilitation duties relating to a treatment program for persons with brain or spinal cord injuries; creating s. 413.507, F.S.; providing eligibility; amending s. 413.604, F.S., relating to nursing home residents; amending s. 413.605, F.S.; revising provisions relating to the advisory council on spinal cord injuries; expanding the scope of its duties to include brain injuries; amending s. 413.613, F.S.; renaming a trust fund and conforming provisions; amending ss. 413.615, 413.70, 413.72, 413.73, and 413.74, F.S.; conforming provisions to this act; amending s. 413.731, F.S.; providing that the division is the payor of last resort; amending ss. 427.706 and 427.708, F.S.; revising a reference to the Florida Council for the Hearing Impaired; repealing ss. 413.25, 413.35, 413.381, 413.47, 413.601, 413.602, 413.603, 413.611, 413.612, 413.614, and 413.71, F.S., relating to a repealed federal act, limitation on political activity, definitions, legislative intent, establishment of a plan for certain treatment, reports of head-injured persons, and transitional living facilities; providing an effective date.

By the Committee on Education and Senator Grogan—

CS for SB 2064—A bill to be entitled An act relating to education; creating the Educational Funding Accountability Act; providing definitions; requiring each school board to classify employees of the school board and the school district according to the employees' duties; requiring certain personnel information to be reported; providing for classification of school board expenditures; requiring reporting of certain expenditures; providing an effective date.

By the Committee on Transportation and Senator Forman—

CS for SB 2118—A bill to be entitled An act relating to license plates; providing for the issuance of a Red Ribbon HIV-AIDS Awareness license plate; providing fees; providing for the use of such fees; requiring

a minimum number of applications before the license plate may be developed; providing for the discontinuance of such license plates; providing an effective date.

By the Committee on Natural Resources and Conservation; and Senator Williams—

CS for SB 2326—A bill to be entitled An act relating to saltwater fisheries; creating a "Net Ban Compensation Program," administered and enforced by the Department of Environmental Protection; providing for initial eligibility; providing for application for compensation; providing for eligibility for compensation; providing for compensation payments; providing definitions; imposing a surcharge for saltwater fishing licenses; providing for funding; providing for future repeal; providing effective dates.

By the Committee on Health Care and Senator Forman—

CS for SB's 2348, 2354, 2434 and 2642—A bill to be entitled An act relating to health care; requiring the Health Care Fraud and Abuse Workgroup established by the Agency for Health Care Administration to complete a detailed study, legislative recommendations, and proposed legislation; requiring the agency to plan and implement health care fraud and abuse prevention and education programs; providing for issuance of injunctions; amending s. 408.02, F.S.; deleting provisions regarding hospital data reporting; providing for patients to present rebuttal evidence to an affirmative defense of compliance with a state-endorsed practice guideline; amending s. 408.7071, F.S.; requiring health care fraud and abuse detection elements to be included in standardized claim forms and in electronic data interchange; providing a penalty for receiving, possessing, or delivering adulterated, misbranded, or sample or complimentary prescription drugs for export; providing for Department of Health and Rehabilitative Services inspection of certain wholesalers and exporters; providing for interagency cooperation; providing for investigation of certain suspected Medicaid fraud; amending s. 499.069, F.S.; increasing criminal penalties for prohibited practices in the sale of drugs, devices, or cosmetics under s. 499.005, F.S.; amending s. 626.989, F.S.; providing immunity for health insurers who share information relating to suspected fraudulent insurance acts; amending s. 775.089, F.S.; providing restitution and notice of restitution hearings to public and private health care payors; providing for a study of medical negligence costs; prescribing requirements for the study; requiring a report; creating the "Florida Health Care Community Antitrust Guidance Act"; providing legislative intent; providing for antitrust no-action letters as described in the act; providing criteria for the receipt of such letters; providing for the submission of certain information; authorizing the Florida Attorney General's Office to take certain action; providing for rules; providing for Florida health care market information collection by the Agency for Health Care Information; providing for educational seminars; providing appropriations; providing an effective date.

By the Committee on Health Care and Senator Forman—

CS for SB's 2412, 2748 and 3024—A bill to be entitled An act relating to health care; providing legislative findings and intent relating to reforms needed in the health care workforce; establishing the Council on the Health Care Workforce within the Agency for Health Care Administration; providing for membership, duties, and reimbursement of per diem and travel expenses; abolishing the council on a specified date; requiring the medical education schools to review their minority enrollment and to devise a plan to increase that enrollment; amending s. 240.4075, F.S.; renaming the Nursing Student Loan Forgiveness Program; expanding the eligible recipients of the program to include radiologic technologists, clinical laboratory technologists, physical therapists, respiratory therapists, respiratory care practitioners, occupational therapists, speech-language pathologists, and audiologists and revising the amount of the payment to a recipient; prescribing fees; prescribing uses of funds collected for the program; amending s. 240.4076, F.S.; renaming the Nursing Scholarship Loan Program and expanding the eligible recipients of the program to include students in programs for advanced nursing, physical therapy, occupational therapy, respiratory care, radiologic technology, and clinical laboratory technology; specifying the amount of the payment to a recipient; amending s. 381.0302, F.S.; revising the definition of "primary care" for purposes of the Florida Health Services Corps; revising

provisions relating to scholarship assistance; amending s. 381.0406, F.S., relating to rural health networks; revising definitions; expanding conditions for network membership; amending membership qualifications for network boards of directors; providing immunity from liability for members of such a board and its employees and agents; revising the emphasis of network services; providing that network provider members may join with accountable health partnerships or managed care providers; providing an extension of time for use of Phase I grants; restricting the uses of Phase II grants; conditioning network certification on compliance with certain rules; providing restrictions on rules adopted under this section; transferring, amending, and renumbering s. 395.606, F.S., as s. 381.0407, F.S.; providing for network cooperative agreements; providing legislative intent; authorizing rural health providers to seek approval for cooperative agreements from the Agency for Health Care Administration; providing criteria that the agency must use in determining whether to issue a letter of approval; providing for state oversight, including rulemaking by the agency, in cooperation with the State Health Office and the Department of Legal Affairs; providing for the termination of approval; defining the term "eligible facility"; creating s. 464.024, F.S.; creating a cross-training program allowing limited nursing functions to be performed by certain personnel in eligible facilities; creating s. 464.025, F.S.; establishing personnel qualifications for the program; creating s. 464.026, F.S.; providing limitations on cross-training functions; authorizing the Board of Nursing to establish program requirements by rule; creating s. 464.027, F.S.; providing for cross-training certification examinations conducted by community colleges; providing for the issuance of cross-training certification to successful applicants; providing for the adoption of rules; providing for fees; creating s. 464.028, F.S.; providing for the adoption of rules; providing for disciplinary action; creating s. 468.315, F.S.; creating a cross-training program allowing limited radiologic technology functions to be performed by certain personnel in eligible facilities; creating s. 468.316, F.S.; establishing personnel qualifications for the program; creating s. 468.317, F.S.; providing limitations on cross-training functions; authorizing the Department of Health and Rehabilitative Services to establish program requirements by rule; creating s. 468.318, F.S.; providing for cross-training certification examinations conducted by the Department of Health and Rehabilitative Services; providing for the issuance of cross-training certification to successful applicants; providing for the adoption of rules; providing for fees; creating s. 468.319, F.S.; providing for invalidation and renewal of certification; providing for the adoption of rules; providing for disciplinary actions; creating s. 468.37, F.S.; creating a cross-training program allowing limited respiratory care functions to be performed by certain personnel in eligible facilities; creating s. 468.371, F.S.; establishing personnel qualifications for the program; creating s. 468.372, F.S.; providing limitations on cross-training functions; authorizing the Board of Medicine with the assistance of the Advisory Council on Respiratory Care to establish program requirements by rule; creating s. 468.373, F.S.; providing for cross-training certification examinations conducted by community colleges; providing for the issuance of cross-training certification to successful applicants; providing for the adoption of rules; providing for fees; creating s. 468.374, F.S.; providing for invalidation and renewal of certification; providing for the adoption of rules; providing for disciplinary actions; creating s. 483.831, F.S.; creating a cross-training program allowing limited clinical laboratory functions to be performed by certain personnel in eligible facilities; creating s. 483.832, F.S.; establishing personnel qualifications for the program; creating s. 483.833, F.S.; providing limitations on cross-training functions; authorizing the Board of Medicine to establish program requirements by rule; creating s. 483.834, F.S.; providing for cross-training certification examinations conducted by community colleges; providing for the issuance of cross-training certification to successful applicants; providing for the adoption of rules; providing for fees; creating s. 483.835, F.S.; providing for invalidation and renewal of certification; providing for the adoption of rules; providing for disciplinary action; requiring a joint evaluation report on the program; requiring the Board of Medicine, the Board of Osteopathic Medicine, the Board of Chiropractic Medicine, the Board of Podiatric Medicine, the Department of Business and Professional Regulation, and the Agency for Health Care Administration to streamline the licensure of applicants by the respective boards; requiring a report; providing for the Agency for Health Care Administration to establish a work group to examine certain licensure and training issues; providing for a report; amending s. 893.02, F.S.; revising the definition of the term "practitioner," as used in the Florida Comprehensive Drug Abuse Prevention and Control Act, to include an advanced registered nurse practitioner licensed under ch. 464, F.S., and subject to the provisions of s. 464.0125, F.S., in order to authorize such a practitioner to prescribe drugs regulated under ch. 893, F.S.; creating s. 464.0125, F.S.; authorizing advanced regis-

tered nurse practitioners who meet certain criteria to prescribe certain medicinal drugs; creating s. 465.0265, F.S.; authorizing advanced registered nurse practitioners to prescribe drugs; requiring pharmacists to dispense drugs under such prescriptions; amending s. 483.035, F.S.; providing responsibility of the Agency for Health Care Administration for personnel standards for exclusive use laboratories; amending s. 483.051, F.S.; revising provisions relating to alternate-site testing; providing responsibility of the agency; providing certain responsibilities of clinical laboratory directors; deleting requirement for consultation with the Board of Clinical Laboratory Personnel; directing the agency to solicit certain comments; specifying a testing protocol; specifying minimum training and education for those who perform testing; amending ss. 483.23, 483.800, 483.801, 483.803, and 483.813, F.S.; providing that provisions governing the regulation and licensure of clinical laboratory personnel do not apply to persons engaged in alternate-site testing or in testing performed at practitioners' exclusive use laboratories or laboratories that perform only waived tests; amending s. 483.811, F.S.; deleting reference to board responsibility for regulation of personnel in laboratories operated under s. 483.035, F.S.; providing an appropriation; directing the Agency for Health Care Administration to implement provisions of the General Appropriations Act; providing an effective date.

By the Committee on Transportation and Senator Siegel—

CS for SB 2468—A bill to be entitled An act relating to a pilot study to report the usefulness and effectiveness of photographic traffic enforcement; providing requirements for the use of such devices; providing procedures for issuing tickets for traffic violations; providing conformance to standards in s. 316.075, F.S.; providing an effective date.

By the Committee on Education and Senator Williams—

CS for SB 2574—A bill to be entitled An act relating to education; amending s. 239.217, F.S.; revising requirements for eligibility for the Florida gold seal vocational endorsement; providing for correction of deficiencies; providing an effective date.

By the Committee on Education and Senators Dyer, Kirkpatrick, Diaz-Balart, Johnson, Grogan, Casas and Crist—

CS for SB 2638—A bill to be entitled An act relating to education; amending s. 24.121, F.S.; providing an additional requirement for school district receipt of lottery funds; amending s. 229.58, F.S.; providing a name requirement for school advisory councils and providing council responsibilities and duties; amending s. 229.592, F.S., relating to school improvement and education accountability; conforming provisions relating to release of funds to school districts; requiring notice of certain deficiency; providing for waiver of provisions relating to use of instructional materials allocations; amending s. 229.594, F.S.; deleting a requirement relating to performance standards; amending s. 230.23, F.S., relating to school board duties; providing requirements for school improvement plans; requiring local-level decisionmaking policies; amending s. 233.07, F.S.; redefining the term "instructional materials"; amending s. 233.25, F.S.; prescribing requirements applicable to publishers and manufacturers of instructional materials; amending s. 236.122, F.S.; requiring a separate classrooms-first allocation to be established annually in the General Appropriations Act; creating s. 236.1221, F.S.; providing for school district allocation of instructional materials funds; providing an effective date.

By the Committee on Executive Business, Ethics and Elections; and Senator Turner—

CS for SB 2910—A bill to be entitled An act relating to lobbying; amending ss. 11.045 and 112.3215, F.S.; revising provisions relating to regulation of legislative lobbyists and executive branch lobbyists; revising definitions; revising reporting requirements and dates; revising advisory opinion provisions applicable to legislative lobbyists; providing a fine for failure of a legislative lobbyist to register if so required; amending s. 11.062, F.S.; revising a prohibition against the use of state funds for lobbying; providing exceptions; providing for advisory opinions; providing an effective date.

By the Committee on Community Affairs and Senator Turner—

CS for SB 2918—A bill to be entitled An act relating to tourism, sports, and entertainment; providing for the creation and establishment of multi-jurisdictional tourism, sports and entertainment independent special districts; providing legislative findings, policy, intent, declaration and purpose; providing definitions; providing for district requirements in order to qualify for establishment; providing for the purpose of such districts; providing for the election of the board of supervisors; providing for a district manager, treasurer and other officers; providing for the preparation of the districts' budgets and public facilities reports; providing for district elections; providing for general statements of policy to be adopted by ordinance; providing that a stockholder, officer, or employee of a landowner may be a member of the district's board of supervisors or an officer or employee of the district; providing for powers and duties; providing for a transportation system, a water supply and management system, a sewer and wastewater system, a solid waste collection system, and a mosquito and pest control program; providing for police and fire protection within the districts; providing for district governance procedures; providing for the employment of staff and consultants; providing for the acceptance of gifts; providing for the incurring of debt; providing for fees, rates, and other charges; providing for limited eminent domain authority; providing for ad valorem taxes and special assessments; providing for investment authority; providing for permits and exclusive and nonexclusive franchises; providing for mandatory use of certain district facilities and services; providing for annexation and contraction of districts' boundaries; providing for the adoption of land development and environmental regulations; providing procedures and criteria for granting exclusive and non-exclusive franchises and authorizing fees for franchises; providing for bonding authority; providing for the levying, assessment and enforcement of ad valorem taxes and special assessments; providing for tax liens; providing for the foreclosure of tax liens; providing for the issuance of certificates of indebtedness and assessment bonds; providing for the payment of taxes and the redemption of tax liens; providing for a limited exemption from taxes; providing for contracting authority and exemptions from certain requirements; providing for the sale and lease of property; providing for liability for torts to a certain extent; providing for dissolution of the districts; providing intent with respect to tax recapture provisions; providing for district records; providing for the establishment of a district in Dade and Broward counties and the City of Miramar and its boundaries; providing definitions applicable to said district; providing for dissolution of said district; providing for powers, duties and limitations of said district; providing for payment in lieu of ad valorem taxes and non-ad valorem assessments; providing for service to out parcels of said district; providing for future amendments; providing for liberal construction; providing for severability; providing for a regional-impact planning area and management program; providing an effective date.

By the Committees on Health Care; Health and Rehabilitative Services; and Senators Myers and Jenne—

CS for CS for SB 2926—A bill to be entitled An act relating to governmental organization; creating s. 14.220, F.S.; creating the Health Coordinating Council within the Office of the Governor; providing for the appointment of members of the council; providing for terms of office; providing for remuneration of members and for reimbursement for per diem expenses; providing for an executive director of the council; providing duties and responsibilities of the council; providing for the council to assume the powers, duties, functions, records, property, and unexpended balances of appropriations of the Health Care Board created under s. 408.003, F.S.; providing for the council to assume the powers, duties, functions, records, property, and unexpended balances of appropriations of the Statewide Health Council created under s. 408.033, F.S.; repealing s. 408.003, F.S., relating to the appointment of members to the Health Care Board; amending s. 20.19, F.S.; redesignating the Department of Health and Rehabilitative Services as the Department of Human Services; transferring the powers of the department with respect to health care to the Department of Health Care Services; repealing s. 20.42, F.S., relating to the Agency for Health Care Administration; abolishing the agency as an autonomous entity under the Department of Business and Professional Regulation and transferring the agency to the Department of Health Care Services; repealing s. 33, ch. 92-33, Laws of Florida, relating to the Division of Medical Quality Assurance; providing that the division remain in the Department of Business and Professional Regulation; transferring the programs relating to children's medical services, Medi-

caid, and alcohol, drug abuse, and mental health from the Department of Health and Rehabilitative Services to the Department of Health Care Services; creating s. 20.191, F.S.; creating the Department of Health Care Services; providing for the organization and duties of the department; providing for the programs to be administered through regions; amending s. 20.04, F.S.; providing for the internal structuring of the Department of Health Care Services; transferring duties of the Department of Agriculture and Consumer Services relating to food establishments, food outlets, and food service establishments to the Department of Health Care Services; amending ss. 20.23, 11.50, 28.101, 28.222, 39.001, 39.01, 39.012, 39.014, 39.015, 39.023, 39.024, 39.025, 39.0255, 39.058, 39.0582, 39.062, 39.418, 39.42, 39.462, 39.469, 40.022, 61.046, 61.13, 61.16, 61.20, 63.022, 63.032, 63.062, 63.202, 63.212, 63.301, 68.07, 88.031, 88.171, 90.502, 90.503, 90.6063, 98.301, 110.1125, 110.1127, 110.123, 110.131, 110.205, 110.215, 112.0455, 112.061, 112.153, 119.07, 120.57, 125.0109, 125.901, 153.19, 154.01, 154.011, 154.013, 154.02, 154.03, 154.04, 154.05, 154.06, 154.205, 154.245, 154.304, 154.306, 154.312, 166.0445, 186.003, 186.022, 186.503, 186.508, 186.901, 189.415, 194.013, 196.1975, 205.1965, 212.04, 212.055, 212.08, 212.096, 215.3208, 216.0165, 216.136, 216.341, 218.65, 220.181, 222.21, 228.0617, 228.081, 228.093, 228.121, 229.8075, 229.832, 230.23, 230.2305, 230.2313, 230.23135, 230.2316, 230.2317, 230.71, 231.02, 231.381, 232.0315, 232.032, 232.13, 232.145, 232.19, 232.2481, 232.303, 232.304, 232.36, 232.50, 233.0643, 233.067, 233.0671, 236.081, 236.145, 236.602, 238.01, 239.301, 239.505, 240.4067, 240.4075, 240.4076, 240.5121, 240.514, 245.08, 245.13, 252.35, 252.355, 252.36, 255.565, 282.402, 282.403, 282.502, 284.40, 287.057, 287.059, 287.088, 287.155, 290.009, 314.05, 316.6135, 316.635, 318.14, 318.18, 318.21, 321.19, 322.055, 322.20, 370.0605, 370.16, 372.57, 372.6672, 373.309, 376.30, 376.3071, 377.712, 381.001, 381.0011, 381.0031, 381.0034, 381.0035, 381.0036, 381.0038, 381.0039, 381.004, 381.0041, 381.0051, 381.0062, 381.0064, 381.0065, 381.0068, 381.0072, 381.008, 381.009, 381.0098, 381.0101, 381.0261, 381.0302, 381.0406, 381.045, 381.0602, 381.0605, 381.6021, 381.6022, 381.6023, 381.698, 381.81, 382.002, 382.0135, 383.011, 383.013, 383.04, 383.05, 383.11, 383.12, 383.13, 383.14, 383.144, 383.16, 383.212, 383.215, 383.216, 383.2161, 383.302, 383.336, 383.3362, 384.23, 385.103, 385.202, 385.203, 385.204, 385.205, 385.206, 385.207, 385.209, 386.02, 386.03, 386.041, 386.203, 387.02, 387.03, 387.05, 387.08, 387.10, 388.45, 388.46, 390.001, 390.002, 390.011, 390.014, 391.021, 391.031, 391.056, 391.091, 391.202, 391.203, 391.205, 391.206, 391.207, 391.208, 391.210, 391.211, 391.212, 391.213, 391.214, 392.52, 393.001, 393.063, 393.064, 393.065, 393.066, 393.067, 393.0673, 393.0675, 393.071, 393.075, 393.11, 393.13, 393.15, 393.31, 393.32, 393.502, 393.503, 394.453, 394.455, 394.457, 394.4573, 394.458, 394.459, 394.461, 394.4674, 394.475, 394.4781, 394.4786, 394.4787, 394.480, 394.480, 394.50, 394.60, 394.66, 394.67, 394.675, 394.73, 394.74, 394.75, 394.76, 394.78, 394.79, 395.002, 395.003, 395.004, 395.0161, 395.0162, 395.0163, 395.0185, 395.0191, 395.0193, 395.0197, 395.0199, 395.1023, 395.1041, 395.1046, 395.1055, 395.1065, 395.301, 395.3015, 395.3025, 395.602, 395.603, 395.604, 395.605, 395.606, 395.701, 395.7015, 397.311, 397.321, 397.405, 397.427, 397.706, 397.753, 397.754, 397.801, 397.821, 400.0060, 400.0065, 400.0067, 400.0069, 400.0075, 400.0087, 400.0089, 400.021, 400.022, 400.023, 400.062, 400.0625, 400.063, 400.071, 400.102, 400.111, 400.121, 400.125, 400.126, 400.141, 400.142, 400.151, 400.162, 400.165, 400.175, 400.176, 400.179, 400.18, 400.19, 400.191, 400.211, 400.23, 400.25, 400.29, 400.34, 400.401, 400.402, 400.404, 400.407, 400.408, 400.411, 400.412, 400.414, 400.415, 400.417, 400.4174, 400.4176, 400.4177, 400.418, 400.419, 400.4195, 400.421, 400.422, 400.424, 400.426, 400.427, 400.428, 400.429, 400.431, 400.434, 400.435, 400.441, 400.442, 400.4445, 400.447, 400.453, 400.462, 400.464, 400.471, 400.474, 400.4785, 400.484, 400.495, 400.497, 400.506, 400.509, 400.512, 400.515, 400.518, 400.551, 400.552, 400.553, 400.554, 400.555, 400.556, 400.5565, 400.557, 400.5571, 400.5575, 400.558, 400.559, 400.56, 400.562, 400.601, 400.602, 400.6045, 400.605, 400.606, 400.607, 400.609, 400.618, 400.702, 400.801, 400.805, 401.107, 401.111, 401.117, 401.23, 401.245, 401.265, 402.04, 402.06, 402.07, 402.105, 402.12, 402.16, 402.161, 402.165, 402.166, 402.167, 402.17, 402.18, 402.181, 402.19, 402.20, 402.22, 402.24, 402.27, 402.28, 402.302, 402.3026, 402.3193, 402.3195, 402.32, 402.321, 402.33, 402.35, 402.37, 402.40, 402.41, 402.45, 402.47, 402.49, 402.55, 402.60, 402.61, 403.061, 403.0625, 403.081, 403.085, 403.086, 403.088, 403.703, 403.7841, 403.786, 403.813, 403.851, 403.852, 403.855, 403.856, 403.858, 403.859, 403.861, 403.862, 403.863, 403.8635, 403.864, 404.031, 404.051, 404.056, 404.0614, 404.131, 404.20, 404.22, 406.02, 407.61, 408.001, 408.02, 408.032, 408.033, 408.038, 408.039, 408.0455, 408.05, 408.061, 408.07, 408.072, 408.20, 408.30, 408.302, 408.601, 408.603, 408.701, 408.702, 408.703, 408.704, 408.7041, 408.7042, 408.7045, 408.7055, 408.7056, 408.706, 408.7071, 408.901, 408.902, 408.903, 408.906, 408.907, 408.908, 409.016, 409.029, 409.141, 409.146, 409.152, 409.166, 409.167, 409.1685, 409.175, 409.1755, 409.178, 409.185, 409.2554, 409.2567, 409.2673, 409.2675, 409.285, 409.315, 409.325, 409.3282, 409.3284, 409.345,

409.352, 409.403, 409.404, 409.441, 409.803, 409.901, 409.902, 409.908, 409.9081, 409.911, 409.9112, 409.9113, 409.9115, 409.9116, 409.923, 409.928, 409.940, 410.011, 410.016, 410.023, 410.032, 410.201, 410.30, 410.401, 410.402, 410.502, 410.602, 410.603, 411.203, 411.204, 411.205, 411.221, 411.222, 411.223, 411.224, 411.232, 413.031, 413.275, 413.602, 414.06, 414.07, 415.102, 415.501, 415.5015, 415.5016, 415.50165, 415.502, 415.5018, 415.503, 415.507, 415.5095, 415.515, 415.602, 415.604, 419.001, 419.002, 420.621, 421.10, 427.012, 427.0135, 430.06, 440.102, 440.13, 440.134, 440.151, 442.005, 443.036, 446.205, 446.23, 446.25, 450.191, 450.211, 455.203, 455.205, 455.207, 455.208, 455.209, 455.211, 455.2175, 455.218, 455.2205, 455.221, 455.223, 455.224, 455.225, 455.227, 455.2273, 455.2275, 455.228, 455.2285, 455.229, 455.232, 455.236, 455.239, 455.241, 455.2416, 455.243, 455.245, 455.26, 458.316, 458.3165, 458.317, 458.331, 459.015, 460.403, 461.013, 466.023, 467.009, 467.0125, 468.1685, 468.301, 468.314, 468.351, 468.505, 470.021, 470.024, 470.025, 483.031, 483.035, 483.041, 483.051, 483.061, 483.091, 483.101, 483.106, 483.111, 483.172, 483.181, 483.191, 483.201, 483.221, 483.23, 483.245, 483.25, 483.26, 483.288, 483.291, 483.294, 483.30, 483.302, 483.314, 483.317, 483.32, 483.328, 483.610, 487.0615, 489.539, 489.551, 499.003, 499.004, 499.02, 499.022, 499.039, 499.601, 499.61, 500.455, 500.457, 500.459, 501.001, 501.065, 501.122, 501.124, 509.013, 509.032, 509.251, 509.291, 513.01, 514.011, 553.19, 561.025, 561.17, 561.19, 561.29, 570.42, 585.15, 624.215, 624.424, 624.91, 626.943, 627.4236, 627.429, 627.6418, 627.6472, 627.6613, 627.736, 627.912, 636.052, 641.21, 641.22, 641.23, 641.261, 641.28, 641.3007, 641.405, 641.406, 641.411, 641.412, 641.443, 641.454, 641.455, 641.47, 641.48, 641.55, 651.011, 651.021, 651.0235, 651.117, 651.118, 713.77, 732.915, 732.921, 732.9215, 732.922, 741.01, 741.29, 742.045, 742.08, 742.16, 743.0645, 744.474, 765.110, 765.307, 766.105, 766.1115, 766.305, 766.308, 766.314, 768.28, 768.76, 775.0877, 775.16, 784.075, 790.157, 790.22, 796.08, 860.1545, 873.01, 877.111, 893.02, 893.04, 893.11, 893.12, 893.15, 893.16, 893.165, 895.09, 916.105, 916.106, 916.11, 939.017, 943.031, 943.0585, 943.059, 944.012, 944.024, 944.095, 944.17, 944.602, 944.706, 945.025, 945.10, 945.12, 945.35, 945.41, 945.47, 945.49, 947.13, 947.146, 947.185, 948.01, 948.034, 949.02, 951.27, 953.003, 953.35, 958.19, 960.001, 960.003, F.S., s. 95, ch. 93-415, Laws of Florida, s. 9, ch. 93-416, Laws of Florida, s. 1, ch. 93-419, Laws of Florida; conforming those sections to the changes in duties and changes of names of departments made by this act; conforming certain of those sections, in addition, to the reorganization of the Departments of Business Regulation, Professional Regulation, Environmental Regulation, and Natural Resources enacted in 1993; amending s. 408.033, F.S.; providing legislative intent; revising the membership of the local health councils; providing additional duties of the local health councils; authorizing the local health councils to participate in community health purchasing alliances; providing for the Health Coordinating Council to match the funds generated by local health councils up to a specified amount; deleting provisions creating the statewide health council; requiring the Department of Health Care Services rather than the Agency for Health Care Administration to establish fees and assessments for specified health care facilities for the purpose of providing funding for the local health councils; providing duties of the Health Coordinating Council with respect to health planning; amending and transferring s. 500.509, F.S., to conform to the change in duties made by this act; transferring the Food Distribution Program within the Department of Agriculture and Consumer Services to the Department of Human Services; amending s. 409.026, F.S., to conform to the transfer; repealing s. 570.072, F.S., relating to duties of the Department of Agriculture and Consumer Services with respect to commodity distribution; transferring the arthropod control program from the Department of Agriculture and Consumer Services to the Department of Health Care Services; amending s. 388.011, F.S.; redefining the department that has responsibility for control of arthropods of public health importance as the Department of Health Care Services; amending s. 388.111, F.S.; providing for vacancies on mosquito-control districts to be filled by the Governor; amending s. 388.131, F.S.; providing for commissioners of such districts to give bond with the Governor; providing for continuing effect of existing rules; providing for continuation of administrative and judicial proceedings; transferring responsibility for regulation of packaged ice plants, dealers, and transportation from the Department of Agriculture and Consumer Services to the Department of Health Care Services; amending s. 509.032, F.S.; transferring the duty to inspect public food service establishments from the Department of Business and Professional Regulation to the Department of Health Care Services; transferring the bottled water and water vending programs from the Department of Agriculture and Consumer Services to the Department of Health Care Services; transferring the drinking water program of the Department of Environmental Protection to the Department of Health Care Services; amending s. 408.033, F.S.; providing for local health councils to include planning for seriously

mentally ill and substance-abuse-impaired persons; providing appropriations; repealing s. 395.304, F.S., relating to a report by the Agency for Health Care Administration; repealing ss. 455.2141, 455.2173, 455.220, F.S., relating to duties of the agency with respect to professional regulatory boards under its control; providing that this act does not affect the term of office of any person serving on a district or subdistrict human services board on the effective date of this act; providing an effective date.

By the Committee on Health Care and Senator Forman—

CS for SB 3060—A bill to be entitled An act relating to health care; creating s. 409.810, F.S.; creating the Florida Health Security Act; creating s. 409.811, F.S.; providing legislative findings and intent; creating s. 409.812, F.S.; providing definitions; creating s. 409.813, F.S.; establishing Florida Health Security, subject to approval of financing by the Federal Government; requiring the Director of the Agency for Health Care Administration to appoint a director of Florida Health Security; creating s. 409.814, F.S.; providing eligibility criteria for membership in Florida Health Security; providing application requirements for individuals; providing application requirements for employers who apply on behalf of employees; requiring the agency to verify a member's continued eligibility; providing circumstances under which a member may be disenrolled; providing penalties for a member or employer who provides erroneous information or who fails to provide certain information; providing for an open enrollment period during which coverage is offered on a guarantee-issue basis; creating s. 409.815, F.S.; providing for certain exclusions for preexisting conditions and benefits available under workers' compensation insurance; providing for coverage under Florida Health Security to be provided by accountable health partnerships or community health partnerships; providing for a county, political subdivision, or tax district to establish a community health partnership; providing for the provision of emergency services; requiring that members be offered at least one benefit plan with a premium equal to or less than a benchmark premium established by the agency; providing certain limitations on changing accountable health partnerships; providing certain limitations on membership eligibility following termination of coverage; creating s. 409.816, F.S.; providing contribution requirements for premiums; providing a benchmark premium; providing for a member's premium subsidy to be based on gross family income; limiting the annual expenditures for Florida Health Security based on the General Appropriations Act; creating s. 409.817, F.S.; providing duties of the agency in administering Florida Health Security; creating s. 409.818, F.S.; providing duties of the agency for contract operations under Florida Health Security; creating s. 409.819, F.S.; authorizing a county, political subdivision, or tax district to create a community health partnership; providing enrollment criteria; providing requirements for qualification as a community health partnership; providing duties of a community health partnership; requiring that a community health partnership have adequate sources of revenue; providing disclosure requirements; providing requirements for coverage of a newborn or adopted child; providing for certain limitations on benefits; providing for liability for certain fees; providing for application of the Florida Insurance Code to certain services provided by a community health partnership; requiring actuarial certification of a community health partnership; providing requirements for a community health partnership that terminates its participation in Florida Health Security; providing for subcontracts for health care services with accountable health partnerships; requiring the Department of Health and Rehabilitative Services to establish pilot programs; requiring a report; creating s. 409.820, F.S.; providing that members may not be enrolled in Florida Health Security until there is sufficient funding; requiring the agency to make certain reports to the Social Services Estimating Conference; requiring the Social Services Estimating Conference to establish the enrollment ceiling for Florida Health Security; creating s. 408.7043, F.S.; providing certain limitations on the commingling of claims experience, rates, and charges for members of Florida Health Security by an accountable health partnership, a community health partnership, or a contract administrator; amending s. 408.706, F.S.; providing additional requirements for accountable health partnerships that participate in Florida Health Security; providing that an insurer or a health maintenance organization is not required to participate in Florida Health Security or the Medicaid program; amending s. 408.902, F.S.; delaying the date and providing a contingency for creating the MedAccess program; amending s. 627.6699, F.S.; providing that the Employee Health Care Access Act does not apply to health benefit plans issued under Florida Health Security; amending s. 216.136, F.S.; providing additional duties of the Social Services Estimating Conference with respect to estimates and forecasts for

Florida Health Security; providing for the principals of the conference to include staff from the Agency for Health Care Administration; amending s. 409.901, F.S.; providing definitions; requiring the Agency for Health Care Administration to study the impact of transferring certain Medicaid recipients to Florida Health Security; requiring a report; amending s. 409.908, F.S., relating to reimbursement of Medicaid providers; requiring legislative consultation and ratification for Medicaid funding formulas to be altered; providing a method for calculating reimbursement under Medicaid prepaid contracts; requiring certain consultation with and ratification by the Legislature before Medicaid recipients are enrolled in community health purchasing alliances; amending s. 409.9122, F.S.; providing for the enrollment of Medicaid recipients in a managed care plan or MediPass by a specified date; authorizing the Agency for Health Care Administration to establish a Medicaid mental health and substance abuse program pursuant to a federal waiver; requiring the agency to appoint an advisory panel; amending s. 409.915, F.S.; providing that services provided under Florida Health Security are not subject to certain requirements for matching funds from the counties; requiring the Agency for Health Care Administration to study Medicaid reimbursements to prepaid health plans and health maintenance organizations; requiring a report; providing an effective date.

By the Committee on Education and Senator Hargrett—

CS for SB 3102—A bill to be entitled An act relating to public school instruction; amending s. 233.061, F.S., relating to required instruction; requiring the teaching of African-American and native American history; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State SB 350 and SB 2954, which became law without his signature on April 2, 1994.

APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Greater Orlando Aviation Authority	
Appointees: McNulty, C. Howard, Orlando	04/16/98
Pugh, James H., Jr., Orlando	04/16/98

Referred to the Committee on Executive Business, Ethics and Elections.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Pat Thomas, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 49, CS for HB 51, CS for HB 107, CS for HB 125, CS for HB 173, CS for HB's 231 and 131, CS for HB 251, HB 283, CS for HB 307, CS for CS for HB 517, CS for HB 523, CS for HB 559, HB 581, HB 595, CS for CS for HB 669, CS for HB's 673 and 1405, HB 675, CS for HB 685, CS for HB 705, CS for HB 711, CS for HB 753, HB 1041, CS for HB 1195, CS for HB 1365, CS for HB 1377, CS for HB 1459, CS for HB 1655, CS for HB 1685, CS for HB's 1705 and 1781, CS for HB 1741, HB 1763, CS for HB 1777, CS for HB 1891, CS for HB 1917, HB 1935, CS for HB 1995, CS for HB 2167, HB 2279, CS for HB 2311, HB 2443, CS for HB's 2585 and 77; has passed by the required constitutional three-fifths vote of the membership HB 2837; has passed as amended CS for HB 281, CS for HB 309, HB 499, HB 545, CS for HB 665, CS for HB 693, CS for HB 739, HB 859, CS for HB 1129, CS for HB 1165, CS for HB 1259, CS for HB 1317, HB 1319, CS for HB 1371, CS for HB 1383, CS for HB 1463, CS for HB 1635, CS for HB 1689, CS for HB 1739, CS for HB 1789, CS for HB 1851, CS for HB 2079, HB 2447, CS for HB 2469, HB 2489, HB 2509, HB 2557, HB 2793, CS for HB 2823; has passed as

amended by the required constitutional three-fifths vote of the membership HJR 2519; has adopted HM 2257 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on Corrections and Representative Stabins and others—

CS for HB 49—A bill to be entitled An act relating to financial responsibility for medical expenses of county and municipal prisoners; amending s. 948.03, F.S.; allowing courts to require repayment of such expenses as a condition of probation; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Community Affairs.

By the Committee on Judiciary and Representative Warner and others—

CS for HB 51—A bill to be entitled An act relating to judgments; creating s. 55.601, F.S.; creating the Uniform Foreign Money-Judgment Recognition Act; creating s. 55.602, F.S.; providing definitions; creating s. 55.603, F.S.; providing for applicability; creating s. 55.604, F.S.; providing for recognition and enforcement of foreign judgments; creating s. 55.605, F.S.; providing grounds for nonrecognition; creating s. 55.606, F.S.; providing for personal jurisdiction; creating s. 55.607, F.S.; providing for stay in case of appeal; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Appropriations and Representative Chestnut and others—

CS for HB 107—A bill to be entitled An act relating to postsecondary education; amending s. 240.2605, F.S.; revising provisions relating to the Trust Fund for Major Gifts; providing purpose; providing Board of Regents' duties; providing for matching donations; providing for university accounts; providing prohibited uses; amending s. 240.2601, F.S.; revising provisions relating to funding requirements for the State University System Facility Enhancement Challenge Grant Program; repealing ss. 240.257 and 240.259, F.S., relating to the Florida Endowment Trust Fund for Eminent Scholars Act and the Trust Fund for New Donors; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By the Committee on Judiciary and Representative Bainter—

CS for HB 125—A bill to be entitled An act relating to executions; amending s. 922.09, F.S., providing for continued effect of death warrants; amending s. 922.06, F.S.; prescribing a period in which the date of execution of a death sentence shall be set following dissolution of a stay of the sentence; amending s. 922.07, F.S.; requiring the Governor to notify the Attorney General when he lifts a stay of execution where the convicted person has been found to have the mental capacity to understand the nature of the death penalty and why it is imposed upon him; amending s. 922.08, F.S.; requiring the Governor to notify the Attorney General when he lifts a stay of execution for pregnancy; amending s. 922.12, F.S.; providing that the warrant shall be returned to the Secretary of State rather than the Governor following execution; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

By the Committee on Transportation and Representative Jacobs and others—

CS for HB 173—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.055, F.S.; providing for staggered renewal dates for renewal of motor vehicle registrations for certain short term rental vehicles; providing an effective date.

—was referred to the Committees on Transportation; and Finance, Taxation and Claims.

By the Committee on Employee and Management Relations; and Representative Ritchie and others—

CS for HB's 231 and 131—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.052, F.S.; clarifying benefit payment and calculation procedure; providing for dual calculation of benefits whenever a member of the Elected State and County Officers' Class has creditable service in that class, followed by service in another class of the Florida Retirement System, on or after January 1, 1995; providing for matters relative thereto; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; Governmental Operations; and Appropriations.

By the Committee on Governmental Operations and Representative Tobin and others—

CS for HB 251—A bill to be entitled An act relating to state buildings; requiring the Department of Management Services in conjunction with other appropriate state agencies to evaluate and develop procedures to improve indoor air quality in state buildings; requiring a report; providing an effective date.

—was referred to the Committee on Governmental Operations.

By Representative Rayson and others—

HB 283—A bill to be entitled An act relating to public records and meetings; providing an exemption from public records requirements for patient records and other identifying information concerning a complainant involved in a complaint to the statewide or a district managed care ombudsman committee; providing an exemption from public meetings requirements for that portion of an ombudsman committee meeting in which such confidential information is discussed; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

—was referred to the Committees on Health Care and Commerce.

By the Committee on Finance and Taxation; and Representative Glickman and others—

CS for HB 307—A bill to be entitled An act relating to educational institutions; amending s. 212.08, F.S.; revising the definition of "educational institutions" for purposes of exemption from the tax on sales, use, and other transactions to include certain nonprofit educational cable consortia; providing an effective date.

—was referred to the Committees on Education; Community Affairs; Finance, Taxation and Claims; and Appropriations.

By the Committees on Finance and Taxation; and Judiciary; and Representative Cosgrove—

CS for CS for HB 517—A bill to be entitled An act relating to the courts; amending s. 25.382, F.S.; providing for annual review of judicial system employment practices; amending s. 28.07, F.S.; providing that the Official Records books of the county shall be kept at the county seat; amending s. 28.222, F.S.; providing for public inspection of records; creating s. 28.235, F.S.; authorizing the clerk of the circuit court to make advance payments on behalf of the county for certain goods and services; amending s. 28.24, F.S.; revising a reporting date; revising the date scheduled for review and expiration of specified provisions relating to the Public Records Modernization Trust Fund; amending s. 28.34, F.S.; providing for annual review of employment practices by the clerk; amending s. 55.10, F.S.; revising the amount of the deposit with the clerk of the court for transfer of claims of lien; amending s. 55.502, F.S.; modifying the definition of foreign judgment; amending s. 55.505, F.S.; requiring payment of a service charge for an execution or other process of enforcement of a foreign judgment; amending s. 57.081, F.S.; limiting the services of the courts, sheriffs, and clerks provided without charge to indigent persons; requiring detailed financial disclosure in the affidavit required for certification of indigency; revising requirements when represented by

attorney; amending s. 125.222, F.S.; providing that the Official Records books of the county shall be kept at the county seat; amending s. 382.022, F.S.; changing monthly deadline for county court judges and clerks of the circuit courts to transmit marriage application fees; amending s. 553.04, F.S.; providing that bonds of plumbing contractors are filed with county code enforcement rather than the clerk of the circuit court; amending s. 695.26, F.S.; revising requirements for recording documents affecting real property with the clerk of the circuit court; amending s. 925.037, F.S., relating to reimbursement of counties for fees paid to appointed counsel and conflict committees; delaying the dates of certain reports; deleting obsolete language; repealing s. 28.17, F.S., relating to verification of documents; repealing s. 28.19, F.S., relating to service charges; providing effective dates.

—was referred to the Committees on Judiciary; and Finance, Taxation and Claims.

By the Committee on Community Affairs and Representative Reddick and others—

CS for HB 523—A bill to be entitled An act relating to growth management data; amending s. 282.403, F.S.; revising the Florida Growth Management Data Network Coordinating Council; revising the title, purpose, and membership; providing duties relating to the sharing of geographic data and growth management comprehensive plan data; defining the term "geographic data"; providing for participation; repealing s. 282.402, F.S., relating to the Florida Growth Management Data Communications Network; providing an effective date.

—was referred to the Committees on Community Affairs, Governmental Operations and Appropriations.

By the Committee on Health Care and Representative Rush—

CS for HB 559—A bill to be entitled An act relating to the Patient Self-Referral Act of 1992; amending s. 455.236, F.S.; including pharmacy services as designated health services; including additional items which do not constitute a referral; exempting certain facilities that provide diagnostic imaging services; repealing s. 455.25(2), F.S., relating to disclosure of financial information to a patient by a health care provider; providing an effective date.

—was referred to the Committees on Health Care and Commerce.

By Representative Feren and others—

HB 581—A bill to be entitled An act relating to attorney's fees in domestic cases; amending s. 61.16, F.S.; providing that the court may award attorney's fees in the prosecution or defense of an appeal in domestic cases; providing an effective date.

—was referred to the Committee on Judiciary.

By Representative Valdes and others—

HB 595—A bill to be entitled An act relating to operating a vehicle while under the influence; amending s. 316.193, F.S.; extending the time period for penalty provisions; providing for 48 hours of consecutive incarceration; amending s. 322.2615, F.S.; providing for a 30-day temporary permit; providing a time period during which certain persons whose licenses have been suspended shall not be eligible to receive a driver's license; amending s. 322.64, F.S.; providing for a 30-day temporary permit; providing an effective date.

—was referred to the Committees on Transportation and Criminal Justice.

By the Committees on Finance and Taxation; and Agriculture and Consumer Services; and Representative Stafford—

CS for CS for HB 669—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.461, F.S.; providing that a person who fails to timely file an application for agricultural classification may petition the value adjustment board to grant such classification; providing a

fee; authorizing the board or the property appraiser to grant the classification under certain conditions; amending s. 193.052, F.S., to conform; amending s. 196.012, F.S.; expanding the definition of "educational institution" for ad valorem tax exemption purposes to include nonprofit private schools principally conducting classes accepted for continuing post-graduate dental education credit; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; Agriculture; and Community Affairs.

By the Committee on Employee and Management Relations; and Representative Feeney and others—

CS for HB's 673 and 1405—A bill to be entitled An act relating to unemployment compensation; amending s. 443.101, F.S.; providing that a claimant will be disqualified for benefits if he is discharged for drug use as evidenced by a positive, confirmed drug test, or if he is rejected from offered employment because of a positive, confirmed drug test required as a condition of employment; deleting obsolete language; providing that results of such a drug test are self-authenticating and admissible in unemployment compensation hearings, and create a rebuttable presumption, when certain conditions are met; providing for limitations upon disclosure; providing an effective date.

—was referred to the Committees on Commerce and Appropriations.

By Representative Tobin—

HB 675—A bill to be entitled An act relating to prepaid limited health service organizations; amending s. 636.007, F.S.; providing that a political subdivision of the state which is operating an emergency medical services system and offers an ambulance service plan as a part of the system shall be exempt from obtaining and maintaining a certificate of authority as a prepaid limited health service organization; providing an effective date.

—was referred to the Committees on Health Care and Commerce.

By the Committee on Appropriations and Representative Rayson—

CS for HB 685—A bill to be entitled An act relating to human resource development; creating s. 229.595, F.S.; providing for educational accountability for school-to-work transition efforts; creating s. 446.31, F.S.; creating the Florida Human Resource Development Commission; providing for administration; providing for membership; providing duties and responsibilities; providing an effective date.

—was referred to the Committees on Education; Governmental Operations; Rules and Calendar; and Appropriations.

By the Committee on Health Care and Representative Jones and others—

CS for HB 705—A bill to be entitled An act relating to patient brokering; specifying unlawful acts; providing exemptions; providing criminal and civil penalties; providing for injunctive relief; providing for actions by the Attorney General or state attorneys; providing for recovery of reasonable expenses; providing that the provisions of the act are supplemental; providing an effective date.

—was referred to the Committees on Health Care, Commerce and Appropriations.

By the Committee on Business and Professional Regulation; and Representative Rudd—

CS for HB 711—A bill to be entitled An act relating to private investigative, security, and repossession services; amending s. 493.6100, F.S.; revising legislative findings and intent to expand the scope of regulations pertaining to the private security industry to cover the private investigative and recovery industries; amending s. 493.6102, F.S.; providing additional exemptions; amending s. 493.6104, F.S.; renaming the Private Security Advisory Council as the Private Investigation, Recovery, and Security Advisory Council; revising the council's responsibilities for

making recommendations; amending s. 493.6106, F.S.; revising licensure requirements; amending s. 493.6107, F.S.; requiring certain applicants who are managers to pay fees upon application; amending s. 493.6108, F.S.; authorizing the Department of State to determine eligibility for licensure on the basis of a criminal history record check under the applicant's name when fingerprints are illegible due to a documented physical condition; amending s. 493.6115, F.S., relating to licenses to bear firearms and weapons; authorizing certain licensees to carry additional firearms provided that only certain ammunition be used; deleting the incremental increase in training requirements and revising the minimum training requirements; revising the documentation required to demonstrate mental and emotional stability; providing that certain proprietary security officers may obtain temporary firearms licenses; providing that licensure under s. 790.06, F.S., does not exempt a person from the requirements of s. 493.6115, F.S.; amending s. 493.6116, F.S.; requiring periodic reports on interns by their sponsors; amending s. 493.6118, F.S.; revising grounds for disciplinary action to include assisting, aiding, or abetting unlicensed activity and to include failure or refusal to report by intern sponsors; adding grounds for discipline relating to reporting violations and to wearing, presenting, or displaying badges; providing for the suspension of approvals pending the payment of certain fines; specifying that an agency license or approval or license of an individual is suspended if the owner is liable for an administrative fine; amending s. 493.6121, F.S.; revising the point at which the records of an investigation of a complaint become public records; specifying that the public records exemption is subject to s. 119.14, F.S., the Open Government Sunset Review Act; amending s. 493.6201, F.S.; requiring certain interns working for specified managers to have certain licenses; amending s. 493.6202, F.S., relating to fees for certain classes of license; requiring certain applicants who are managers to pay fees upon application; amending s. 493.6301, F.S.; changing references to "security guard school or training facilities" with respect to licensing of these facilities; amending s. 493.6302, F.S., relating to fees for certain classes of license; requiring certain applicants who are managers to pay fees upon application; amending s. 493.6303, F.S.; deleting the incremental increase in training requirements and revising the minimum training requirements; subjecting certain licensees to the training requirements; providing special requirements for certain licensees; amending s. 493.6306, F.S.; revising the requirements for renewal of certain licensees; revising the fee for renewal; amending s. 493.6402, F.S., relating to fees for certain classes of license; requiring certain applicants who are managers to pay fees upon application; amending s. 493.6403, F.S.; revising the minimum training requirements for certain licensees and establishing training requirements for other licensees; deleting the incremental increase in training requirements; repealing s. 493.6125(3), F.S., which requires a study concerning private investigators and repossessioners; providing an effective date.

—was referred to the Committees on Professional Regulation; Finance, Taxation and Claims; and Appropriations.

By the Committee on Insurance and Representative Brown and others—

CS for HB 753—A bill to be entitled An act relating to insurance; amending s. 627.736, F.S.; specifying a violation of the Insurance Code for a certain activity; creating s. 627.7401, F.S.; requiring the Department of Insurance to provide by rule for notification by insurers of certain rights of insureds; requiring insurers to provide such notification to insureds under certain circumstances; providing an effective date.

—was referred to the Committee on Commerce.

By Representative Arnall and others—

HB 1041—A bill to be entitled An act relating to the City of Jacksonville Beach; amending section 8, "Vested Termination of Membership," of chapter 27643, Laws of Florida, 1951, as amended, being the Employees' Retirement System of the City of Jacksonville Beach, to make changes recommended by the Board of Trustees of the retirement system and the City Council, so as to provide death benefits to survivors of former vested members; providing an effective date.

(Passed on the Local Bill Calendar this day.)

By the Committee on Judiciary and Representative Sublette and others—

CS for HB 1195—A bill to be entitled An act relating to civil traffic infractions; creating s. 318.325, F.S.; providing jurisdiction and procedures for parking infractions for a county or municipality adopting the Civil Traffic Infraction Hearing Officer Program; amending ss. 318.30-318.38, F.S.; revising provisions governing the Civil Traffic Infraction Hearing Officer Program to make it an ongoing rather than a pilot program, to eliminate a caseload threshold necessary to establish the program, to revise terminology and eliminate obsolete provisions, and to reduce continuing education requirements; providing an effective date.

—was referred to the Committees on Transportation and Community Affairs.

By the Committee on Education and Representative Upchurch—

CS for HB 1365—A bill to be entitled An act relating to the Florida School for the Deaf and the Blind; creating s. 242.3305, F.S.; providing for responsibilities and mission of the school; amending s. 242.331, F.S.; providing duties of the Board of Trustees for the Florida School for the Deaf and the Blind; creating s. 242.3315, F.S.; providing for student and employee personnel records; amending s. 242.332, F.S., relating to out-of-state facilities; creating s. 242.337, F.S.; providing procedure for legislative budget requests; creating s. 242.339, F.S.; providing for school budgets; creating s. 242.341, F.S.; providing for budget management flexibility; creating s. 242.343, F.S.; providing responsibilities and requirements for campus police; requiring bond; creating s. 242.345, F.S.; requiring report of school crime statistics; amending s. 228.041, F.S.; including the Florida School for the Deaf and the Blind in the state system of public education; providing an effective date.

—was referred to the Committees on Education; Personnel, Retirement and Collective Bargaining; and Appropriations.

By the Committee on Health Care and Representative Crist and others—

CS for HB 1377—A bill to be entitled An act relating to sexually transmissible disease; creating s. 384.287, F.S.; prescribing procedures for testing certain persons for sexually transmissible disease when significant exposure may have occurred which could have infected an officer, firefighter, ambulance driver, emergency medical technician, or paramedic with the disease; requiring information otherwise made confidential to be kept confidential; providing a penalty for disclosure of confidential information; repealing s. 796.08(6), F.S., relating to screening of certain persons for sexually transmissible diseases; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Personnel, Retirement and Collective Bargaining; and Appropriations.

By the Committee on Business and Professional Regulation; and Representative Clemons—

CS for HB 1459—A bill to be entitled An act relating to regulation of professions; providing for the registration of athletic trainers who meet specified criteria; providing legislative intent; providing definitions; providing rulemaking authority of the Department of Business and Professional Regulation; creating the Athletic Training Regulatory Task Force; providing exemptions; amending s. 486.161, F.S.; providing an exemption for certain persons assisting a licensed physical therapist; providing an effective date.

—was referred to the Committees on Professional Regulation; and Finance, Taxation and Claims.

By the Committee on Employee and Management Relations; and Representative Rojas and others—

CS for HB 1655—A bill to be entitled An act relating to regulations; creating part II of chapter 448, F.S.; creating the "Labor Pool Act"; pro-

viding definitions; providing duties of a labor pool; providing rulemaking authority for Department of Labor and Employment Security; providing exemption for certain farm labor contractors and certain employee leasing companies; providing an effective date.

—was referred to the Committees on Commerce; Judiciary; Finance, Taxation and Claims; and Appropriations.

By the Committee on Health Care and Representative Wallace and others—

CS for HB 1685—A bill to be entitled An act relating to clinical laboratory testing; amending s. 483.035, F.S.; providing responsibility of the Agency for Health Care Administration for personnel standards for exclusive use laboratories; amending s. 483.051, F.S.; revising provisions relating to alternate-site testing; providing responsibility of the agency; providing certain responsibilities of clinical laboratory directors; deleting requirement for consultation with the Board of Clinical Laboratory Personnel; directing the agency to solicit certain comments; specifying a testing protocol; specifying minimum training and education for those who perform testing; amending ss. 483.23, 483.800, 483.801, 483.803, and 483.813, F.S.; providing that provisions governing the regulation and licensure of clinical laboratory personnel do not apply to persons engaged in alternate-site testing or in testing performed at practitioners' exclusive use laboratories or laboratories that perform only waived tests; amending s. 483.811, F.S.; deleting reference to board responsibility for regulation of personnel in laboratories operated under s. 483.035, F.S.; providing an effective date.

—was referred to the Committees on Health Care, Commerce and Professional Regulation.

By the Committee on Agriculture and Consumer Services; and Representative Edwards and others—

CS for HB's 1705 and 1781—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 525.01, F.S., relating to the sale of petroleum fuel; deleting requirement to file the name, brand, or trademark with the department; amending s. 525.035, F.S., to conform; amending s. 525.07, F.S.; providing requirements relating to operation and adjustment of petroleum fuel measuring devices; amending s. 525.08, F.S.; revising provisions relating to department access; amending s. 525.16, F.S.; revising penalties; amending ss. 527.02, 527.021, 527.06, 527.13, and 527.15, F.S., relating to regulation of the sale of liquefied petroleum gas; providing for deposit of moneys in the General Inspection Trust Fund; amending s. 570.02, F.S.; including seafood in the definition of "agriculture" for certain purposes; amending s. 570.07, F.S.; providing department responsibility for issuing information concerning food safety and for food recovery programs; renumbering provisions relating to advisory committees; creating s. 570.0725, F.S.; providing legislative intent and department functions relative to food recovery; amending s. 570.36, F.S., relating to animal disease diagnostic laboratories; amending ss. 570.23, 570.34, 570.38, 570.42, 570.541, 570.543, 571.28, 576.091, 580.151, 581.186, 582.06, 586.161, and 599.002, F.S.; correcting cross references; deleting obsolete language; amending s. 573.114, F.S.; providing for mitigation of problems of agricultural commodity producers; amending s. 578.08, F.S.; revising provisions relating to application of the Florida Seed Law; providing an effective date; providing for retroactive effect.

—was referred to the Committees on Agriculture and Appropriations.

By the Committee on Judiciary and Representative Constantine—

CS for HB 1741—A bill to be entitled An act relating to condominiums; creating s. 73.073, F.S.; providing a special procedure with respect to condominium common elements subject to eminent domain; providing legislative intent; amending s. 718.111, F.S.; authorizing a condominium association to convey a portion of the common elements to a condemning authority for certain purposes; amending s. 718.112, F.S.; providing an additional required provision in condominium bylaws; providing an effective date.

—was referred to the Committees on Commerce and Judiciary.

By Representative Littlefield and others—

HB 1763—A bill to be entitled An act relating to bingo; amending s. 849.0931, F.S.; providing conditions under which bingo may be conducted by a group of residents of a mobile home park or recreational vehicle park as defined in chapter 513, F.S.; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Ethics and Elections; and Representative Bronson and others—

CS for HB 1777—A bill to be entitled An act relating to elections; prescribing responsibility of the Department of State concerning the translation and distribution of ballot language; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Community Affairs.

By the Committee on Health Care and Representative Mackenzie and others—

CS for HB 1891—A bill to be entitled An act relating to health facilities authorities; amending s. 154.209, F.S.; providing for the disposition of surplus funds that remain in the account of a health facilities authority; providing an effective date.

—was referred to the Committees on Health Care and Appropriations.

By the Committee on Governmental Operations and Representative Ritchie—

CS for HB 1917—A bill to be entitled An act relating to community service; creating s. 14.29, F.S.; creating the Florida Commission on Community Service; providing legislative intent; creating the commission in the Executive Office of the Governor; providing for the membership of the commission; providing for terms of members; providing for the powers and duties of the commission; authorizing the creation of a direct-support organization; providing for a contract; providing for an annual report; directing the Governor to notify the Corporation for National and Community Service of the establishment of the commission; providing an effective date.

—was referred to the Committees on Governmental Operations, Education and Appropriations.

By Representative Feeney—

HB 1935—A bill to be entitled An act relating to confidentiality of information held pursuant to the Unemployment Compensation Law; renumbering s. 443.171(7) and (12), F.S., as s. 443.1715, F.S.; revising provisions which provide for confidentiality of information revealing an employing unit's or individual's identity under said law; providing for application of confidentiality provisions to employees and agencies receiving confidential information; authorizing the furnishing of certain reports to claimants; providing for disclosure of drug test information in connection with proceedings to determine compensability under said law, other actions under said law, and related disciplinary proceedings; providing for confidentiality and inadmissibility as evidence of such information for all other purposes; providing for disclosure pursuant to certain hearings; providing for future review and repeal; providing requirements for waiver of confidentiality; providing a finding of public necessity; amending s. 409.7015, F.S., to conform; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Transportation and Representative Starks—

CS for HB 1995—A bill to be entitled An act relating to license plates; providing for the issuance of Vietnam Veterans of America license plates; providing fees; providing for the use of such fees; requiring a mini-

mum number of applications before the license plate may be developed; providing for the discontinuance of such license plates; providing an effective date.

—was referred to the Committees on Transportation; Finance, Taxation and Claims; and Appropriations.

By the Committee on Criminal Justice and Representative Shepard—

CS for HB 2167—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; increasing the minimum fine for a fourth or subsequent conviction of driving under the influence or driving with a blood alcohol level above a specified amount; increasing the minimum term of imprisonment for a fourth or subsequent conviction of driving under the influence or driving with an unlawful blood alcohol level; adding rented vehicles to the references to leased vehicles under the impoundment or immobilization authorization provisions; amending s. 322.34, F.S.; including reference to driving privilege with respect to driving while a license is suspended, revoked, canceled, or disqualified; providing an effective date.

—was referred to the Committees on Transportation, Criminal Justice and Appropriations.

By the Committee on Employee and Management Relations; and Representative Davis and others—

HB 2279—A bill to be entitled An act relating to the Public Employees Relations Commission; amending s. 447.208, F.S.; providing criteria to be used by the commission in determining attorney's fees with respect to certain appeals; providing for applicability; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; and Appropriations.

By the Committee on Appropriations and Representative Eggelton and others—

CS for HB 2311—A bill to be entitled An act relating to the sickle-cell trait; requiring the Department of Health and Rehabilitative Services to establish a sickle-cell program to the extent that resources are appropriated for this purpose; providing for education and screening, a statewide tracking and follow-up system, and grants and reimbursements to not-for-profit centers; providing an effective date.

—was referred to the Committees on Health Care and Appropriations.

By the Committee on Corrections and Representative Smith and others—

HB 2443—A bill to be entitled An act relating to prison industries; amending s. 946.006, F.S.; authorizing the Department of Corrections to contract with private industries to provide in-prison inmate work programs; requiring the department to present to the Legislature a plan for implementation; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Appropriations.

By the Committee on Community Affairs and Representative D. Saunders and others—

CS for HB's 2585 and 77—A bill to be entitled An act relating to access to local public officials; creating s. 286.0115, F.S.; providing a definition; providing for access to public officials; providing a method to expunge ex parte communication; authorizing investigations; authorizing recusal based on prejudicial ex parte contact; requiring disclosure of significant ex parte communication; authorizing local rules or procedures; amending s. 286.012, F.S.; conforming to the act; providing an effective date.

—was referred to the Committees on Community Affairs and Governmental Operations.

By Representative Graber—

HB 2837—A bill to be entitled An act related to trust funds; creating the Florida Health Security Trust Fund, to be administered by the Agency for Health Care Administration; providing for source of moneys and purposes; providing for future review and termination or re-creation of the fund; providing a contingent effective date.

—was referred to the Committees on Health Care, Commerce and Appropriations.

By the Committee on Judiciary and Representative Wise and others—

CS for HB 281—A bill to be entitled An act relating to dissolution of marriage; directing judicial circuits in the state to approve parenting courses; providing fees; authorizing required attendance under certain circumstances; authorizing the court to hold certain persons in contempt; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Ethics and Elections; and Representative Glickman and others—

CS for HB 309—A bill to be entitled An act relating to referenda; amending s. 101.161, F.S.; providing filing requirements for challenges to the legal sufficiency of the ballot language of a constitutional amendment proposed by the constitution revision commission or the taxation and budget reform commission; providing for revision of the ballot language of such a proposed constitutional amendment under certain circumstances; providing an effective date.

—was referred to the Committees on Judiciary; and Rules and Calendar.

By the Committee on Health Care and Representative Graber—

HB 499—A bill to be entitled An act relating to perinatal, neonatal, infant, and toddler health care; amending s. 383.15, F.S.; revising legislative intent relating to perinatal care services; amending s. 383.16, F.S.; revising definitions; amending s. 383.17, F.S.; providing for a regional perinatal intensive care centers program; deleting reference to grants to health care providers; amending s. 383.18, F.S.; providing for contracts with the Department of Health and Rehabilitative Services; providing for medical and financial eligibility; amending s. 383.19, F.S.; providing for transportation services; increasing the maximum number of centers in the state; providing for Medicaid reimbursement; revising priority consideration for establishment of centers; amending s. 383.21, F.S.; revising requirements for program review; dividing, transferring, renumbering, and amending s. 383.215, F.S.; providing for developmental evaluation and intervention programs for high-risk and disabled newborn infants; providing definitions; specifying program requirements and services; requiring the department to coordinate with specified agencies; requiring the Department of Education to develop specified programs; creating s. 391.305, F.S.; providing for standards and rulemaking; creating s. 391.306, F.S.; providing for program funding; authorizing the Department of Health and Rehabilitative Services to contract with providers; creating s. 391.307, F.S.; requiring annual program review; repealing s. 383.144, F.S., relating to the infant hearing impairment program; repealing s. 383.171, F.S., relating to grants to neonatal intensive care centers; repealing s. 383.212, F.S., relating to program review, evaluations, and projections for neonatal intensive care centers; providing an effective date.

—was referred to the Committees on Health Care, Commerce and Appropriations.

By Representative Hawkins—

HB 545—A bill to be entitled An act relating to financial matters; amending s. 18.10, F.S.; providing that investment-related equipment or software associated with investments of state money by the Treasurer is exempt from chapter 287, F.S., relating to procurement of property; amending s. 18.125, F.S.; revising the annual assessment made against the

average daily balance of funds made available by state agencies and the judicial branch for investment by the Treasurer; amending s. 20.13, F.S.; eliminating the Division of Benefits within the Department of Insurance and providing for assumption of its duties by the Division of Treasury; providing an effective date.

—was referred to the Committees on Governmental Operations; Commerce; Finance, Taxation and Claims; and Appropriations.

By the Committee on Employee and Management Relations; and Representative Bloom and others—

CS for HB 665—A bill to be entitled An act relating to public employee death benefits; amending s. 110.123, F.S.; requiring the state to pay health insurance coverage for the spouse and dependent children of law enforcement or correctional officers who are killed in the line of duty, under certain circumstances, for certain time periods; amending s. 112.19, F.S.; requiring political subdivisions of the state that employ law enforcement or correctional officers who are killed in the line of duty, under certain circumstances, to pay health insurance coverage for the officer's spouse and dependent children for certain time periods; amending s. 112.191, F.S.; requiring political subdivisions of the state that employ firefighters who are killed in the line of duty, under certain circumstances, to pay health insurance coverage for the firefighter's spouse and dependent children for certain time periods; amending s. 175.181, F.S.; revising beneficiary provisions by eliminating remarriage penalties and reinstating death benefits to surviving spouses of firefighters under certain circumstances; amending s. 185.162, F.S.; revising beneficiary provisions by eliminating remarriage penalties and reinstating death benefits to surviving spouses of police officers under certain circumstances; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; Community Affairs; and Appropriations.

By the Committee on Community Affairs and Representative Schultz—

CS for HB 693—A bill to be entitled An act relating to local government code enforcement; amending s. 162.05, F.S.; revising requirements relating to appointment of code enforcement board members; amending s. 162.06, F.S.; revising the conditions under which a code inspector may immediately notify the enforcement board and request a hearing; amending s. 162.07, F.S.; authorizing local governing bodies to recover costs incurred in prosecuting cases before the boards; amending ss. 162.09 and 162.10, F.S.; revising the time period for imposition of a fine for repeat violations; authorizing the local governing body to make reasonable repairs if an order of the board is not complied with for certain violations and to assess the reasonable cost of repairs along with the fine imposed on the violator; providing authority of the local governing body with respect to liens for fines imposed; providing for the recovery of costs; authorizing the local governing body to collect costs of recording and satisfying a valid lien; amending s. 162.12, F.S.; revising requirements relating to notice to the violator by posting; amending s. 162.21, F.S.; authorizing immediate issuance of a citation by a code enforcement officer if a repeat violation is found; providing an effective date.

—was referred to the Committees on Community Affairs and Judiciary.

By the Committee on Natural Resources and Representative Hawkins—

CS for HB 739—A bill to be entitled An act relating to the regulation of oil and gas resources; amending s. 377.19, F.S.; defining the terms "oil and gas administrator" and "operator"; amending s. 377.2411, F.S.; revising language with respect to the lawful right to drill, develop, and explore; creating s. 377.247, F.S.; providing for the designation and distribution of earnings owed to owners of mineral rights who are unknown or unlocated; amending s. 717.113, F.S.; providing that certain funds are presumed abandoned under certain circumstances; amending s. 376.40, F.S.; providing for the deposit into the Petroleum Exploration and Production Bond Trust Fund of certain funds required to be deposited under provision of law; amending s. 377.22, F.S.; providing for an additional purpose for

which rules may be adopted by the Department of Environmental Protection; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Commerce; and Appropriations.

By Representative Harris and others—

HB 859—A bill to be entitled An act relating to citrus; amending s. 601.04, F.S.; providing that the terms of appointees to the Florida Citrus Commission begin in April rather than June; amending s. 601.091, F.S.; renaming the “interior” production area as the “Florida SunRidge” production area; amending s. 601.15, F.S.; providing for future increased crops; revising tax schedules for processed grapefruit, fresh grapefruit, processed oranges, fresh oranges, and fresh tangerine and citrus hybrid fruit; providing that processed tangerine and citrus hybrid fruit be taxed at the same rate as processed oranges; deleting provisions which provide for specific segregation of funds in the Citrus Advertising Trust Fund; repealing s. 601.156, F.S., relating to an additional excise tax of 2 cents per box upon each box of oranges sold or delivered for processing and segregation of such funds in the Citrus Advertising Trust Fund; providing an effective date.

—was referred to the Committees on Agriculture; Finance, Taxation and Claims; and Appropriations.

By the Committee on Judiciary and Representative Merchant and others—

CS for HB 1129—A bill to be entitled An act relating to district school board liability; exempting school boards from liability with respect to persons using school board facilities for certain recreational purposes; providing an effective date.

—was referred to the Committees on Education, Judiciary and Commerce.

By the Committee on Community Affairs and Representative Stafford and others—

CS for HB 1165—A bill to be entitled An act relating to the office of sheriff; providing a legislative finding; providing definitions; providing for the appointment or promotion of deputy sheriffs subject to probation; authorizing a sheriff to terminate a deputy sheriff's appointment before completion of probation; requiring sheriffs to establish review boards; providing for membership of the boards; requiring that a deputy sheriff be given notice of any proposed termination; providing for appeal of a proposed termination to the review board; providing procedures for review by the board; providing for continuation of appointment; providing an effective date.

—was referred to the Committees on Criminal Justice; Personnel, Retirement and Collective Bargaining; and Community Affairs.

By the Committee on Judiciary and Representative Burke—

CS for HB 1259—A bill to be entitled An act relating to dissolution of marriage, support, and custody; amending s. 61.075, F.S.; revising language with respect to the date for determining the value of assets and the amount of liabilities identified or classified as marital; amending s. 61.30, F.S.; providing that the trier of fact, after considering all relevant factors, may order payment of child support which varies from guideline amounts; amending s. 61.401, F.S.; revising language with respect to appointment of the guardian ad litem; amending s. 61.402, F.S.; authorizing use of certain designated funds to conduct security background investigations; amending s. 61.403, F.S.; providing that a guardian ad litem shall act as next friend, investigator or evaluator, not as attorney or advocate, but shall act in the child's best interest; amending s. 415.503, F.S.; redefining the term “guardian ad litem” to conform to the act; providing an effective date.

(Substituted for **CS for SB 1940** on the Special Order Calendar this day.)

By the Committee on Transportation and Representative D. Saunders—

CS for HB 1317—A bill to be entitled An act relating to fuel tax administration; amending s. 206.45, F.S.; requiring the Department of Revenue to deduct the proportionate share of the costs of administering the taxes deposited into the Gas Tax Collection Trust Fund; amending s. 206.60, F.S.; limiting the amount the department may deduct from the proceeds of the county tax on motor fuel to pay for administering the tax; amending ss. 206.605 and 206.875, F.S.; specifying that the department may deduct administrative costs from proceeds of the municipal tax on motor fuel and the tax on special fuels and limiting such deductions; amending ss. 206.9845 and 212.69, F.S.; specifying that the department may deduct administrative costs from the proceeds of the tax on aviation fuel and the tax on the sale of motor and special fuels and limiting such deductions; amending ss. 336.021 and 336.025, F.S.; authorizing the department to deduct administrative costs from proceeds of the ninth-cent gas tax and the local option gas tax and limiting such deductions; requiring the department to allocate the administrative costs according to a specified formula; amending s. 336.026, F.S.; authorizing the department to deduct administrative costs from proceeds of the State Comprehensive Enhanced Transportation System Tax and limiting such deductions; providing a schedule for the period July 1, 1994-June 30, 1999, under which the costs of administration of specified fuel taxes will be deducted from the proceeds of the county tax on motor fuel in decreasing proportion and from the proceeds of those taxes in increasing proportion; amending s. 206.877, F.S.; exempting vehicles fueled by alternative fuels which are operated by state or local governmental agencies from the annual decal fee imposed in lieu of the tax on special fuels; providing effective dates.

—was referred to the Committees on Finance, Taxation and Claims; Community Affairs; and Appropriations.

By Representative Edwards and others—

HB 1319—A bill to be entitled An act relating to the Small Cities Community Development Block Grant Program; amending ss. 290.0411 and 290.044, F.S.; including loan guarantees in authorized uses of certain funds; creating s. 290.0455, F.S.; establishing a Small Cities Community Development Block Grant Loan Guarantee Program; requiring the Department of Community Affairs to administer the program; providing limitations; authorizing the department to pledge certain revenues for loan guarantees under certain circumstances; requiring the department to adopt rules; limiting loan guarantee commitments; establishing loan repayment terms; requiring evidence of having sought other financing services; requiring an assessment of the applicant's past grant or loan performance; amending s. 290.047, F.S.; exempting grants from the program from certain ceiling limitations; requiring the department to reduce grant ceilings for applicants defaulting on project loans under the program; amending s. 290.048, F.S.; authorizing the department to pledge certain revenues for certain purposes; providing an effective date.

—was referred to the Committees on Community Affairs, Commerce and Appropriations.

By the Committee on Health Care and Representative Jones and others—

CS for HB 1371—A bill to be entitled An act relating to regional poison control centers; amending s. 395.1027, F.S.; providing legislative intent; limiting the facilities which may be listed as a poison information center, poison control center, or poison center; amending s. 768.28, F.S.; providing that regional poison control centers shall be considered agents of the State of Florida, Department of Health and Rehabilitative Services; requiring the poison-control centers to indemnify the state for any liabilities; providing an effective date.

—was referred to the Committees on Governmental Operations; Finance, Taxation and Claims; and Appropriations.

By the Committee on Health Care and Representative Smith and others—

CS for HB 1383—A bill to be entitled An act relating to long-term care; amending s. 651.118, F.S.; amending provisions that govern the allowable number and uses of sheltered nursing home beds in continuing care retirement communities; replacing the Department of Health and Rehabilitative Services with the Agency for Health Care Administration as the agency administering this section; amending s. 400.404, F.S.; exempting from regulation certain facilities where the residents nominate the board directors and certain facilities in existence for a specified period of time which are owned by a fraternal organization; amending s. 408.036, F.S.; exempting from regulation certain private retirement community facilities and certain increases in bed capacity for certain nursing home facilities; amending s. 400.051, F.S.; exempting specified facilities from regulation as nursing homes; providing effective dates.

—was referred to the Committee on Health and Rehabilitative Services.

By the Committee on Health Care and Representative Arnold and others—

CS for HB 1463—A bill to be entitled An act relating to health care planning; amending s. 408.033, F.S.; providing legislative intent; revising the membership of the local health councils; providing additional duties of the local health councils; correcting inaccurate references; providing an effective date.

—was referred to the Committees on Health Care, Commerce and Appropriations.

By the Committee on Business and Professional Regulation; and Representative Tedder—

CS for HB 1635—A bill to be entitled An act relating to public accountancy; creating s. 473.3145, F.S.; providing for the issuance of certificates of special competence in specialized fields of public accountancy and establishing the fields for which those certificates may be issued; providing disclosure limitations and requirements; providing powers and duties of and limitations on the Board of Accountancy; providing for duration of certification and for recertification on a biennial basis; providing minimum standards for certification and recertification; providing for discipline; providing responsibilities of certificateholders; providing for fees; providing for establishment of the Specialization Advisory Committee to advise and assist the board; providing rulemaking authority; amending s. 473.322, F.S.; prohibiting a person from knowingly assuming or using the title "board certified," unless the person holds a certificate of special competence; providing a penalty; reenacting s. 473.308, F.S., relating to licensure, to incorporate the amendment to s. 473.322, F.S., in a reference thereto; amending s. 473.323, F.S.; providing disciplinary authority; providing for an appropriation; providing an effective date.

—was referred to the Committee on Professional Regulation.

By the Committee on Tourism and Economic Development; and Representative R. Saunders and others—

CS for HB 1689—A bill to be entitled An act relating to the Florida Sesquicentennial Commission; creating the commission to lead the celebration of the 150th anniversary of Florida statehood; providing for members, officers, meetings, and reimbursement for travel and expenses incurred in the performance of official duties; providing powers and duties; providing appropriations; providing effective and expiration dates.

—was referred to the Committees on Governmental Operations and Appropriations.

By the Committee on Higher Education and Representative Charles and others—

CS for HB 1739—A bill to be entitled An act relating to postsecondary education; amending s. 240.209, F.S.; authorizing the Board of Regents to establish a facilities fee to be pledged for capital debt; providing for a one-time reduction of student matriculation fees equal to the facilities fee; authorizing designation of a portion of the facilities fee for debt surety; amending s. 240.2093, F.S.; authorizing the Board of Regents to request the issuance of bonds to finance or refinance capital projects; authorizing the Board of Regents to approve a direct-support organization or other approved entity to issue bonds on its behalf; amending ss. 240.223 and 240.295, F.S.; conforming language; amending s. 240.296, F.S.; creating the State University System Facilities Loan and Debt Surety Program to replace the State University Housing Loan Fund; amending s. 240.299, F.S.; authorizing the direct-support organizations to enter into agreements for financing, constructing, or purchasing facilities; amending s. 243.01, F.S.; revising definitions; amending s. 243.02, F.S.; revising powers of the Board of Regents relating to issuing and managing debt; amending s. 243.03, F.S.; revising provisions relating to the issuance of revenue certificates; amending s. 243.04, F.S.; revising powers of the Board of Regents to secure debt service; amending s. 243.06, F.S.; revising remedies for the holders of revenue certificates; amending s. 243.09, F.S.; revising provisions relating to prohibitions against obligating the state; amending s. 243.10, F.S., relating to revenue certificates as obligations of the Board of Regents; creating s. 243.105, F.S.; providing tax-exempt status; providing the exercise of powers for public purpose; providing that debt of Board of Regents constitutes legal public investments; amending s. 243.11, F.S.; revising provisions relating to supplemental nature of law; amending s. 243.141, F.S.; providing duties of the State Board of Administration; amending s. 243.151, F.S.; revising provisions relating to lease agreements; repealing s. 235.222(2), F.S., relating to repayment of loans; repealing s. 240.294, F.S., relating to insurance on lease-purchase agreements; repealing ss. 243.07, 243.12, and 243.131, F.S., relating to deposit of proceeds from the sale of revenue certificates, short title, and federal aid; amending s. 240.301, F.S.; authorizing community colleges to be providers of adult education services; revising provisions relating to community colleges' mission and responsibilities; amending s. 240.4125, F.S., relating to the Mary McLeod Bethune Scholarship Challenge Grant Fund; revising the name of the fund; providing for the moneys in the trust fund to be allocated by the Department of Education to certain institutions; providing for those institutions to award the scholarships; revising eligibility requirements for renewal; requiring that scholarships be given to students with financial need; requiring annual reports to the department on the scholarships; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By the Committee on Business and Professional Regulation; and Representative Bitner—

CS for HB 1789—A bill to be entitled An act relating to real estate brokers, salespersons, and schools; amending s. 475.01, F.S.; defining terms applicable to the regulation of real estate brokers, salespersons, and schools; amending s. 475.011, F.S.; providing an exemption from such regulation relating to the rental, for transient occupancy, of public lodging establishments; amending s. 475.25, F.S.; revising a ground for disciplinary and other action relating to certain required notice and consent with respect to a sale, exchange, purchase, or lease of real property or any interest in real property; reenacting ss. 475.181(2), 475.482(1)(b), and 475.483(1)(a), F.S., relating to licensure and the Real Estate Recovery Fund, to incorporate the amendment to s. 475.25, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Professional Regulation and Appropriations.

By the Committee on Natural Resources and Representative Davis and others—

CS for HB 1851—A bill to be entitled An act relating to water and wastewater systems; amending s. 403.064, F.S.; providing requirements for the use of reclaimed water; providing permit requirements for wastewater treatment facilities in water resource caution areas; providing for

feasibility studies for reuse of reclaimed water; providing that permits issued by the Department of Environmental Protection for domestic wastewater treatment facilities must be consistent with requirements for reuse in applicable consumptive use permits; limiting disposal of effluent by deep well injection; amending s. 403.1838, F.S.; expanding the scope of the Small Community Sewer Construction Assistance Act; authorizing grants by the Department of Environmental Protection to financially disadvantaged small communities in accordance with rules adopted by the Environmental Regulation Commission; prescribing criteria for the commission's rules; requiring the department to review each grant; providing for grant funds to be used to pay the costs of program administration; providing for a continuation of current department rules for grants previously awarded; authorizing the Department of Environmental Protection to expend federal drinking water funds to make grants and loans; directing the Department of Environmental Protection to report on the status of any federally authorized drinking water state revolving fund program; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Agriculture.

By the Committee on Finance and Taxation; and Representative Bloom—

CS for HB 2079—A bill to be entitled An act relating to local government finance; amending s. 163.387, F.S.; authorizing a modification of the requirements for determining the amount of annual funding of a community redevelopment trust fund for counties as defined in s. 125.011(1), F.S.; amending ss. 170.01 and 170.03, F.S.; revising provisions which authorize municipalities to provide certain improvements and levy special assessments against the property benefited, to include the relocation of utilities within such improvements; amending s. 200.065, F.S.; revising the requirements for calculation of the rolled-back rate for purposes of requirements relating to the method of fixing ad valorem millage rates; amending ss. 1, 2, and 3, ch. 67-930, Laws of Florida; revising provisions which authorize certain municipalities to levy a municipal resort tax, to authorize levy of said tax on food and beverages, other than alcoholic beverages, sold for consumption off the premises; providing those municipalities with certain enforcement and collection powers and procedures; providing effective dates.

—was referred to the Committees on Community Affairs; Finance, Taxation and Claims; and Appropriations.

By the Committee on Employee and Management Relations; and Representative Davis and others—

HB 2447—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; redefining the term "employee leasing company"; amending s. 443.041, F.S.; limiting attorneys' fees paid by the Division of Unemployment Compensation; amending s. 443.091, F.S.; modifying benefit eligibility conditions to comply with federal law; requiring certain persons deemed likely to exhaust regular benefits to participate in reemployment services; amending s. 443.101, F.S.; clarifying provisions relating to disqualification for benefits; amending s. 443.111, F.S.; authorizing the Division of Unemployment Compensation to establish by rule the process for payment and reporting of unemployment claims; modifying the expiration date; providing for the reinstatement of in-person benefit payment and claims reporting if the provisions of s. 443.111(1), F.S., expire; providing exceptions; providing for limited projects; amending s. 443.131, F.S.; relating to computation of contribution rates based upon benefit experience; deleting obsolete language; revising dates; modifying provisions relating to transfer of employment records between predecessor and successor employers; repealing s. 3 of ch. 91-9, Laws of Florida, relating to reinstatement of mandatory in-person claims reporting; providing effective dates.

—was referred to the Committees on Commerce and Appropriations.

By the Committees on Appropriations; and Employee and Management Relations; and Representative Davis—

CS for HB 2469—A bill to be entitled An act relating to the Florida Retirement System; amending s. 112.363, F.S.; providing for changes to the Health Insurance Subsidy Trust Fund; amending s. 112.61, F.S.;

modifying legislative intent; amending s. 121.051, F.S.; providing membership status of regular receivership employees of the Division of Rehabilitation and Liquidation; amending ss. 121.052, 121.055, 121.071, and 121.40, F.S.; revising contribution rates applicable to members of the Elected State and County Officers' Class, the Senior Management Service Class, and the Regular, Special Risk, and Special Risk Administrative Support Classes of the Florida Retirement System and the contribution rate applicable to the supplemental retirement plan for the Institute of Food and Agricultural Sciences of the University of Florida; modifying provisions related to upgraded service; providing for maximum contributions payable for annuities purchased under the Senior Management Service Optional Annuity Program (OAP) and the Optional Retirement Program for the State University System (ORP); amending s. 121.122, F.S.; providing for Senior Management Service membership for certain reemployed retirees; amending ss. 175.121, 175.401, 185.10, and 185.50, F.S.; providing for withholding of moneys; providing legislative intent with respect to contribution rates; providing legislative findings; providing legislative intent regarding future changes affecting the Florida Retirement System; repealing s. 121.056, F.S., relating to contribution rate adjustments; providing an effective date.

—was referred to the Committees on Personnel, Retirement and Collective Bargaining; and Appropriations.

By the Committee on Aging and Human Services; and Representative Gordon and others—

HB 2489—A bill to be entitled An act relating to adult protective services; amending s. 415.101, F.S.; revising legislative intent under the Adult Protective Services Act; providing for care and protection of all vulnerable adults; transferring duties under the act to the Department of Elderly Affairs; amending s. 415.102, F.S.; revising definitions; amending s. 415.103, F.S.; revising operation of the central abuse registry and tracking system; creating s. 415.1034, F.S.; revising and transferring requirements for mandatory reporting of abuse, neglect, exploitation, or death; creating ss. 415.1035 and 415.1036, F.S.; revising and transferring provisions relating to a facility's duty to inform residents of the right to make reports and to immunity for reporters; creating s. 415.1045, F.S.; revising and transferring requirements for protective services investigations and transmittal of records to state attorneys; providing for use of photographs, videotapes, medical examinations, and X rays; providing for abrogation of privileged communications; providing for confidential records and documents; providing for classification or closure of records; amending s. 415.105, F.S.; revising requirements for provision of protective services with consent or when consent is withdrawn; creating s. 415.1051, F.S.; revising and transferring requirements for provision of protective services when capacity to consent is lacking; providing for non-emergency and emergency interventions; providing for notice and hearings; providing for protective services orders; specifying limitations; creating s. 415.1052, F.S.; revising and transferring provisions relating to interference with an investigation or the provision of protective services; creating s. 415.1055, F.S.; revising and transferring requirements for notification of reports to administrative entities and other persons and notification by law enforcement and state attorneys; amending s. 415.106, F.S.; revising requirements for cooperation between the Department of Health and Rehabilitative Services and criminal justice and other agencies; creating s. 415.1065, F.S.; requiring certain records management; amending s. 415.107, F.S.; revising provisions relating to confidentiality of reports and records; creating s. 415.1075, F.S.; revising and transferring provisions authorizing administrative remedies; providing for amendment or expunction of reports; providing for appeals; providing for request to set aside a report due to excusable neglect or fraud; creating s. 415.1099, F.S.; providing for waiver of certain filing fees; amending s. 415.1102, F.S.; revising provisions relating to adult protection teams and services provided thereby; creating s. 415.1105, F.S.; providing for training programs for adult protective services staff and persons required to report abuse, neglect, or exploitation; amending s. 415.111, F.S.; revising and expanding criminal penalties; creating s. 415.1111, F.S.; providing civil penalties; providing for a private right of action for abuse, neglect, or exploitation of a vulnerable adult; creating s. 415.1113, F.S.; providing for administrative fines for false reporting; providing for allegations; providing for notice and hearing; amending s. 415.113, F.S., relating to statutory construction; amending ss. 39.001, 39.045, 39.076, 39.411, 110.1127, 119.07, 242.335, 393.0655, 394.457, 395.3025, 397.451, 400.414, 400.619, 402.305, 409.175, 415.504, 447.208, 447.401, 464.018, 509.032, 744.474, 775.15, 943.0585, and 943.059, F.S.; revising standards for screening to conform

to the act; conforming terminology and correcting cross references; providing for screening of personnel of certain programs of the Department of Elderly Affairs; amending s. 400.211, F.S.; revising provisions relating to certification and screening of certified nursing assistants; providing penalties; amending s. 400.464, F.S., providing criminal penalties; amending s. 400.512, F.S.; revising provisions relating to screening of home health agency personnel, nurse registry personnel, sitters, companions, and homemakers; providing procedure for exemption from disqualification; repealing ss. 415.104, 415.1085, and 415.109, F.S., relating to protective services investigations, use of photographs, medical examinations, and X rays, and abrogation of privileged communications in cases of abuse, neglect, or exploitation of aged persons or disabled adults; repealing s. 415.105(3)-(6), F.S., relating to provision of protective services to an aged person or disabled adult who lacks capacity of consent or when the caregiver refuses the services or in an emergency; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Judiciary; and Appropriations.

By the Committee on Finance and Taxation; and Representative Abrams—

HB 2509—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.0306, F.S., which authorizes certain charter counties to levy a local option tax on food and beverages for specified purposes; requiring businesses to determine their taxable status with respect to the exemption applicable to businesses which had revenues of \$400,000 or less in the previous year at the end of each year and notify the tax collector of any change; requiring new businesses to collect taxes for a specified period to determine their exemption status; providing a method of determining estimated annual gross receipts for such businesses; revising the exemption for veterans', fraternal, and other clubs; revising the authorized uses of the tax on food, beverages, or alcoholic beverages sold in establishments licensed for on-premises consumption; clarifying language regarding application of that tax; requiring an advisory board to the county commissioners and defining the activities of said boards; repealing s. 212.0306(7), F.S., which provides for October 1, 2008, repeal of said section; amending s. 212.0305, F.S.; revising the use of proceeds of the charter county convention development tax; revising requirements relating to appointment of authorities and terms and qualifications of members; providing additional powers of authorities; providing requirements relating to approval of authorities' budgets; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; Community Affairs; and Appropriations.

By the Committee on Finance and Taxation; and Representative Rush—

HB 2557—A bill to be entitled An act relating to taxation; amending s. 45.031, F.S., which provides procedures for judicial sales of real or personal property; providing for filing a copy of the report of disbursements with the Department of Revenue; providing application; amending s. 69.041, F.S., which provides requirements relating to certain civil actions in which the state is named a party; providing requirements relating to the right of the department to participate in the disbursement of surplus funds in mortgage foreclosure actions; providing application; amending s. 199.185, F.S.; exempting certain liquor distributors from intangible personal property tax on accounts receivable derived from certain sales of alcoholic beverages; amending s. 199.232, F.S.; directing the department to issue a refund for overpayment of intangible taxes upon discovery, or submission to it of proof, of the overpayment, without written claim for refund; specifying a time limit for making a refund; prescribing a statute of limitation for bringing an action for refund; providing that penalties and interest not be assessed against an overpayment of an automatic refund if the taxpayer reimburses the department within a specified period after notification; amending s. 213.21, F.S.; authorizing the department to settle or compromise a taxpayer's liability for the service fee imposed on a dishonored check or draft under certain conditions; amending ss. 538.09 and 538.25, F.S.; revising the fee required for fingerprint processing of applicants for registration as a secondhand dealer or secondary metals recycler; authorizing the department to modify reporting or filing periods to facilitate calculation of penalty and interest due under certain conditions; amending s. 624.5091, F.S.; clarifying provisions

which specify taxes and assessments to which the insurance retaliatory tax does not apply; including sales and use taxes; deleting reference to the domicile of alien insurers and defining "similar insurer"; providing legislative intent; amending s. 125.0108, F.S.; authorizing counties levying the areas of critical state concern tourist impact tax to collect and administer the tax on a local basis; amending s. 206.028, F.S.; authorizing the department to contract with private companies to investigate applicants for a motor fuel refiner, importer, or wholesaler license; amending s. 561.025, F.S., relating to the distribution of funds deposited into the Alcoholic Beverage and Tobacco Trust Fund; creating s. 561.12, F.S., relating to deposit of revenues; amending s. 196.011, F.S.; providing for granting late filed application for property tax exemption; providing retroactive application; amending ss. 212.03, 212.06, and 212.18, F.S.; providing that persons who rent or grant a license to use accommodations in apartment houses, roominghouses, and tourist or trailer camps for periods longer than 6 months are not exercising a taxable privilege and are not considered sales tax dealers; amending s. 212.11, F.S.; revising conditions under which the department may authorize quarterly or semiannual sales tax returns; providing for filing periods; amending s. 212.67, F.S., which authorizes refunds of the tax on sales of fuels; authorizing transit systems, municipalities, counties, and school districts that are licensed as special fuel dealers to take a credit in lieu of refund; amending ss. 193.085 and 194.171, F.S.; revising provisions relating to assessment of railroad property for ad valorem tax purposes; authorizing the sharing of information; providing for venue in actions relating to such property; providing that payment of taxes a taxpayer admits to be due and timely filing of an action under s. 194.171, F.S., suspends tax collection procedures; amending s. 196.101, F.S.; revising the types of documents that must be submitted to qualify for the homestead exemption for totally and permanently disabled persons; authorizing osteopathic physicians to certify disability; revising requirements for the physician's certification form; amending s. 196.131, F.S.; revising the penalty for giving false information to claim homestead exemption; amending s. 200.065, F.S.; deleting a requirement that the resolution or ordinance adopted by a taxing authority stating its millage rate be sent to the department; amending ss. 193.1142 and 196.011, F.S.; requiring the inclusion of the social security numbers of an applicant for specified ad valorem tax exemptions and the applicant's spouse in exemption applications and assessment rolls; providing procedures for refiling of applications that omit the social security numbers; providing for implementation; providing a contingent effective date; amending s. 193.075, F.S.; revising provisions relating to the taxable status of mobile homes being held for display; amending s. 194.013, F.S.; increasing the maximum fee which may be charged for filing a petition before the value adjustment board; revising the amount and application of the single filing fee for joint petitions; amending s. 196.011, F.S.; revising provisions relating to penalties imposed when property improperly receives exemption in a county in which the annual exemption application requirement has been waived; amending s. 196.031, F.S.; deleting the requirement that ownership documents be recorded in the official records for homestead exemption purposes, retroactive to January 1, 1994; providing a revised requirement effective January 1, 1995; authorizing the property appraiser to request additional ownership documents; amending s. 196.041, F.S.; providing that persons owning a leasehold interest in a lease having a term of 98 years or more in a residential parcel are deemed to have title to the property for homestead exemption purposes; amending s. 196.161, F.S.; requiring the property appraiser to serve a notice of intent to record a notice of tax lien against property that improperly received homestead exemption and allow the owner 30 days to pay taxes, penalties, and interest; clarifying that only property owned by the person improperly receiving homestead exemption is subject to tax lien; amending s. 212.0306, F.S., which authorizes certain charter counties to levy a local option tax on food and beverages for specified purposes; requiring businesses to determine their taxable status with respect to the exemption applicable to businesses which had revenues of \$400,000 or less in the previous year at the end of each year and notify the tax collector of any change; requiring new businesses to collect taxes for a specified period to determine their exemption status; providing a method of determining projected annual gross revenues for such businesses; revising the exemption for veterans', fraternal, and other clubs; revising the authorized uses of the tax on food, beverages, or alcoholic beverages sold in establishments licensed for on-premises consumption; clarifying language regarding application of that tax; requiring the appointment of an oversight board and providing its duties; repealing s. 212.0306(7), F.S., which provides for October 1, 2008, repeal of said section; amending s. 220.13, F.S., which provides requirements for determination of adjusted federal income for corporate income tax purposes; providing for subtraction from taxable income of amounts included in taxable income under s. 951 of the

Internal Revenue Code; amending ss. 72.011 and 120.575, F.S.; providing that provisions relating to the contesting of certain tax matters are applicable to chapters relating to tax on tobacco products, pari-mutuel wagering, and the Beverage Law; amending s. 72.031, F.S.; providing that the Department of Business and Professional Regulation is the defendant in such actions; reenacting and amending s. 95.091, F.S.; specifying the time limits for the department to determine and assess taxes; reenacting ss. 215.26(6) and 26.012(2), F.S., for the purpose of incorporating changes to s. 72.011, F.S.; amending s. 72.011, F.S.; granting a plaintiff additional time to comply with jurisdictional requirements in certain instances; providing a rebuttable presumption relating to de minimus errors; providing legislative intent; amending s. 212.0305, F.S.; revising the use of proceeds of the charter county convention development tax; revising requirements relating to appointment of authorities and terms and qualifications of members; providing additional powers of authorities; providing requirements relating to approval of authorities' budgets; creating s. 196.1994, F.S.; providing an exemption; providing for retroactivity; amending s. 212.08, F.S., creating an exemption for the sales tax on the lease of or license to use a taxicab or taxicab related equipment and services by a taxicab company to an independent taxicab operation; providing effective dates.

—was referred to the Committees on Finance, Taxation and Claims; and Appropriations.

By Representative Gordon—

HB 2793—A bill to be entitled An act relating to the confidentiality of certain identifying information about elderly persons; creating s. 430.105, F.S.; providing an exemption from public records requirements for identifying information about elderly persons collected and held by the Department of Elderly Affairs, by volunteers, or by persons under contract with area agencies on aging; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Appropriations.

By the Committees on Appropriations and Health Care and Representative Graber and others—

CS for HB 2823—A bill to be entitled An act relating to health care; creating s. 409.80, F.S.; providing a short title; creating s. 409.810, F.S.; providing legislative findings and intent; creating s. 409.811, F.S.; providing definitions; creating s. 409.812, F.S.; establishing the Florida Health Security program; creating s. 409.813, F.S.; providing eligibility requirements; creating s. 409.814, F.S.; providing for coverage, limitations, and plan selection; creating s. 409.815, F.S.; establishing contribution requirements; establishing a ceiling on certain federal and state expenditures; specifying condition for reduction or discontinuance of subsidy for Florida Health Security; creating s. 409.816, F.S.; establishing responsibilities of the Agency for Health Care Administration; creating s. 409.817, F.S.; establishing responsibilities of community health purchasing alliances; creating s. 409.818, F.S.; providing for transfer of Medicaid savings into the Florida Health Security Trust Fund, or other trust funds under certain circumstances; creating s. 409.8181, F.S.; establishing an average monthly enrollment cap and reserves; providing data collection and reporting requirements; creating s. 409.819, F.S.; providing for community health partnerships; providing for the establishment of pilot programs; requiring a report; authorizing the agency to make program modifications to obtain federal waivers; amending s. 408.02, F.S.; providing for practice parameters for outpatient services provided by specified practitioners; amending s. 408.301, F.S.; providing legislative findings concerning care for chronically ill children and persons with mental illnesses; amending s. 408.7042, F.S.; deleting references to MedAccess and Medicaid buy-in from provisions relating to alliances' purchase of health care for Medicaid recipients; creating s. 408.7043, F.S.; requiring that claims experience for Florida Health Security members is not commingled with other programs; amending s. 408.706, F.S.; providing requirements for accountable health partnerships' participation in the Florida Health Security program; authorizing the United States Department of Veterans Affairs to develop accountable health partnerships; providing for reduction in certain premiums to account for certain services available to veterans; amending s. 408.902, F.S.; delaying effective date of the MedAccess program; amending s. 627.652, F.S.; defining "community health purchas-

ing alliance" for purposes of group health insurance; creating s. 627.6552, F.S.; providing for community health purchasing alliance groups for Florida Health Security coverage; amending s. 627.6699, F.S.; providing an exemption for plans and carriers issuing coverage pursuant to the Florida Health Security Act of 1994; amending s. 216.136, F.S.; requiring the Social Services Estimating Conference to develop estimates, forecasts, and trends for the Florida Health Security program; amending s. 409.901, F.S.; providing definitions; amending s. 409.904, F.S.; providing for the termination of the Medicaid medically needy program; providing for continuation to certain persons for a limited time; directing the agency to study the impact of transferring recipients to Florida Health Security; requiring a report; amending s. 409.908, F.S.; providing a schedule of maximum reimbursement to Medicaid providers; correcting references; creating s. 409.9119, F.S.; providing for a portion of the disproportionate share program allotment to be reallocated to the Florida Health Security program if federal waivers are obtained; amending s. 409.9122, F.S.; requiring Medicaid contractors to give preference to essential community providers; providing for the enrollment of Children's Medical Services providers in the MediPass program; requiring the agency to develop patient care standards for Medicaid managed care providers; requiring all Medicaid recipients to be enrolled in managed care plans or MediPass by a specific date; providing exceptions; requiring the agency to study the impact of the enrollment of qualified Medicare beneficiaries in managed care; amending s. 409.915, F.S.; providing that services delivered through the Florida Health Security program will not be subject to county Medicaid funding requirements if federal waivers are obtained; creating s. 381.0408, F.S.; creating a rural comprehensive primary care program; providing for administration, funding, and rules; creating s. 409.9118, F.S.; providing for a rural health care access disproportionate share program; creating s. 381.0407, F.S.; creating urban community-based primary care networks; requiring a report; providing legislative intent and an interim plan with respect to Medicaid and the disproportionate share programs if approval of federal waivers are delayed or not obtained; amending s. 409.903, F.S.; providing circumstances for expanding Medicaid to pregnant women and children under age 21; providing for transfer of funds; amending s. 409.9117, F.S.; renaming the primary care disproportionate share program as the health access disproportionate share program; revising requirements for participation and funding; directing the Agency for Health Care Administration to study Medicaid reimbursement to prepaid health plans and health maintenance organizations; amending s. 408.302, F.S.; deleting a requirement that the Department of Health and Rehabilitative Services approve agency rules; amending s. 240.4075, F.S.; expanding the Nursing Student Loan Forgiveness Program to include allied health care providers; increasing maximum payment to recipients under specified circumstances; providing for program funding through additional licensure fees; amending s. 240.4076, F.S.; adding allied health care providers as eligible participants in a nursing scholarship loan program; increasing maximum payment to recipients under specified circumstances; amending s. 381.0302, F.S.; authorizing Florida Health Services Corps program scholarship payments to midwifery students and loan repayment assistance and travel and relocation expenses to licensed midwives; amending s. 381.0406, F.S.; modifying definitions relating to rural health networks; increasing requirements for network membership; limiting liability; revising network services; providing that networks may become accountable health partnerships or managed care providers; specifying use of Phase II grants; conditioning network certification on compliance with certain rules; renumbering and amending s. 395.606, F.S., relating to rural health network cooperative agreements; providing rule-making authority; creating ss. 464.024-464.029, F.S.; establishing a cross-training program for nurses in rural hospitals; creating ss. 468.315-468.320, F.S.; establishing a cross-training program for radiologic technologists in rural hospitals; creating ss. 468.37-468.375, F.S.; establishing a cross-training program for respiratory care functions in rural hospitals; creating ss. 483.831-483.836, F.S.; establishing a cross-training program for clinical laboratory personnel in rural hospitals; providing legislative findings and intent; providing personnel qualifications for cross-training programs; specifying cross-training functions; providing for supervision; providing for certification; providing duties of community colleges; providing for an application fee; providing certification conditions; providing for interruption of employment; providing for continuing education; providing for disciplinary action; providing for rules; requiring reports; creating s. 486.175, F.S.; providing for indirect supervision of physical therapy assistants in rural hospitals; directing the Boards of Medicine, Osteopathic Medicine, Chiropractic, and Podiatric Medicine, the Department of Business and Professional Regulation, and the Agency for Health Care Administration to streamline professional licensure; requiring a report; creating s. 255.0516, F.S., and amending s. 287.088, F.S.; requiring certain

state agency contractors, including construction contractors, to ensure employee access to a group health benefit plan; creating a task force to study health insurance requirements for state contractors; requiring a report; amending ss. 408.70, 408.701, 408.702, 408.703, 408.704, 408.7042, 408.7045, 408.705, 408.7056, 408.706, and 408.7071, F.S.; correcting references; correcting technical errors; providing for consistency in the use of defined terms; defining the terms "physician and surgeon" and "noninvasive physician," and differentiating between such physicians and other health care providers; deleting provision relating to employer contributions required by community health purchasing alliances under certain conditions; revising provisions relating to the establishment of community health purchasing alliances; requiring certain employers to provide a point of service option; providing for premiums; providing for certain data collection and distribution; modifying membership and duties of the advisory data committee; increasing the number of health benefit plans that must be made available to state employees under specified circumstances; deleting a requirement for a certificate of authority for Medicaid managed care providers; providing additional requirements for alliance marketing materials; providing requirements for disclosure of treatment policies and restrictions or limitations on coverages; providing additional conflict of interest prohibitions for alliance board members; providing additional duties for the Commission on Ethics; requiring board members to file financial disclosure; providing for licensure and certification of entities creating accountable health partnerships; modifying qualifications for designation as an accountable health partnership; authorizing the Agency for Health Care Administration to require certain documentation of a health partnership for certain purposes; providing for subscriber copayments and provider agreements; increasing the proportion of positions in a newly created accountable health partnership that must be offered to alliance district physicians; authorizing accountable health partnerships to contract with specialty hospitals; creating s. 408.7051, F.S.; providing that alliances are subject to public records and meetings requirements; creating s. 408.7061, F.S.; authorizing certain entities to be designated as limited accountable health partnerships for the purpose of providing specified limited services; specifying applicability of s. 408.706, F.S.; providing that an accountable health partnership may also provide such limited services; amending ss. 627.6471, 627.6472, and 641.315, F.S.; prohibiting certain insurers or health maintenance organizations from requiring a health care provider to have greater coverage for professional liability insurance than is required by state law; requiring exclusive provider organizations to make available a point of service plan; creating s. 627.6751, F.S.; prohibiting exclusive provider provisions for Medicare supplement policies; prohibiting an insurer from requiring a health care provider providing services to the beneficiary of a Medicare supplement policy to have greater coverage for professional liability insurance than is required by state law; authorizing state universities to create university health services support organizations; describing the duties of such organizations; directing the Board of Regents to prescribe, by rule, operations of such organizations; providing for Board of Regents representation on the governing boards of such organizations; providing for annual audits of organization financial records; amending s. 409.912, F.S.; providing a process to allow entities who are currently prohibited from contracting with the Medicaid program to obtain approval to reenter the program; providing a process to allow Medicaid prepaid plan enrollees who wish to enter hospice care to be disenrolled from the prepaid plan; correcting references; amending s. 458.347, F.S.; providing for development of a Department of Professional Regulation examination for physician assistant certification; reenacting ss. 499.035, 499.05, 499.051, and 499.066, F.S., relating to dimethyl sulfoxide and to rules, inspections and investigations, and penalties in the regulation of drugs, cosmetics, and household products, retroactive to a specified date; validating and confirming certain actions taken with respect to said sections; amending s. 381.0203, F.S.; authorizing certain state contract for the purchase of drugs; creating s. 627.6425, F.S.; providing renewability of individual health insurance policies; creating s. 627.6691, F.S.; providing for continuation of coverage under group health benefit plans; providing definitions; providing for notice; providing legislative findings and intent; creating an Academic Task Force on Health Care Delivery Systems; providing duties of the task force; requiring interim and final reports on health care delivery systems; creating the Florida Council on Health Care Workforce; providing duties of the council; requiring reports; creating a Florida Consortium on Medical Education and Training; providing powers and duties of the consortium; directing the Agency for Health Care Administration to seek certain federal waivers; establishing an advisory council to the consortium; amending s. 20.42, F.S.; deleting hospital budget review from duties of the Health Care Board; repealing ss. 408.07(7), (9), (12), and (37), 408.072, 408.08, and 408.085, F.S., relating to review of hospital budgets;

amending s. 395.403, F.S.; conforming provisions relating to state-sponsored trauma centers; amending s. 400.702, F.S.; correcting a cross reference; amending s. 408.40, F.S.; deleting reference to budget review proceedings of the Public Counsel; amending s. 408.033, F.S.; providing legislative intent; revising the membership of the local health councils; providing additional duties of the local health councils; correcting references; creating the Emergency Medical Services for Children Act; providing legislative findings; directing the Agency for Health Care Administration to require minimum equipment, supplies, and training of hospital emergency departments; directing the Department of Health and Rehabilitative Services to require equipment, supplies, and training for emergency response and transport vehicles; directing the Agency for Health Care Administration to require all emergency departments to have an appropriate pediatric referral system; requiring the emergency medical services for children panel within the Department of Health and Rehabilitative Services to coordinate efforts to develop recommendations for achieving a statewide comprehensive system of emergency medical services for children and to submit recommendations to the Legislature; amending s. 641.19, F.S.; revising and adding definitions relating to health maintenance organizations; amending s. 641.21, F.S.; limiting exemptions from requirements to obtain a certificate of authority; amending s. 641.31, F.S.; requiring a health maintenance organization to provide certain information to certain subscribers; requiring a health maintenance contract to contain certain definitions; requiring a health maintenance organization to be governed by specified emergency services and care provisions; providing criteria for subscribers who are residents of a retirement facility to be referred to the facility's skilled nursing facility or home health agency; amending s. 641.402, F.S.; providing a definition relating to prepaid health plans; amending s. 641.47, F.S.; revising and adding definitions relating to health care services programs; amending s. 641.48, F.S.; providing additional criterion and limiting exemptions for certain prepaid plans; providing for future expiration of an exemption under certain circumstances; amending s. 641.49, F.S.; revising requirements for obtaining a health care provider certificate; amending s. 641.495, F.S.; requiring health maintenance organizations to require providers to ensure examination and verification of licenses of health care professionals; requiring such organizations to have an emergency management plan for certain purposes; establishing the advisory committee on the recruitment and retention of minority physicians; providing for membership and duties; amending s. 641.511, F.S.; clarifying subscriber grievance procedures; amending s. 641.512, F.S.; requiring the Agency for Health Care Administration to annually conduct a validation survey of health maintenance organizations for certain purposes; creating s. 641.513, F.S.; specifying requirements for provision of emergency services and care by a health maintenance organization; amending s. 641.515, F.S.; requiring the agency to review subscriber or provider complaints; amending s. 641.55, F.S.; revising internal risk management program requirements; providing penalties; amending s. 408.7056, F.S.; authorizing the Statewide Provider and Subscriber Assistance Program to address certain provider grievances; clarifying procedures for the Statewide Provider and Subscriber Assistance Program; amending s. 409.016, F.S.; providing a definition; amending s. 409.912, F.S.; adding requirements for Medicaid prepaid plans; providing for reimbursement rates; prohibiting certain enrollment practices; authorizing the agency to fine prepaid plans; requiring the agency to establish a Medicaid Consumer Assistance program; requiring the agency to establish a health care quality improvement system; requiring certain health screening rates for children; providing for penalties for failure to achieve certain rates; amending s. 409.9122, F.S.; requiring the agency to require Medicaid managed care plans to demonstrate and document Medicaid recipients who receive entitled care; requiring the agency for Health Care Administration to establish statewide Medicaid managed care consumer advisory committee; providing for membership; providing duties and responsibilities; providing for future repeal; amending ss. 641.23, 641.261, 641.28, 641.405, 641.406, 641.411, 641.412, 641.443, 641.454, 641.455, 641.52, 641.54, 641.56, 641.57, and 641.58, F.S.; replacing references to the Department of Health and Rehabilitative Services with the Agency for Health Care Administration; creating s. 641.217, F.S.; requiring applicants for and holders of health maintenance organization certificates of authority to submit minority recruitment and retention plans to the Agency for Health Care Administration; requiring approval before issuance of a certificate of authority; requiring current certificate holders to implement approved plans by a specified date; creating s. 641.351, F.S.; requiring health maintenance organizations to make point of service plans available, upon request; providing for underwriting contracts; providing for deductibles, copayments, coinsurance payments, and premiums; authorizing HMO's to offer a preferred provider network plan; amending s.

627.4233, F.S.; clarifying certain provisions relating to definition of total disability; amending s. 627.4235, F.S.; specifying order of benefits for continuation of certain coverage; creating s. 627.6045, F.S.; specifying policy requirements with respect to preexisting conditions; creating s. 627.6414, F.S.; providing for coverage for dependents; providing criteria; amending s. 627.647, F.S., relating to standard health claim forms; providing a short title; providing definitions; revising provisions requiring standard health claim forms; providing requirements for certain health care claim forms; providing criteria; prohibiting the department from prohibiting carriers from accepting certain claim forms; amending s. 627.6471, F.S.; requiring insurers which issue preferred provider contracts which provide coverage for psychotherapeutic services to assure equal access to certain providers; amending s. 627.6472, F.S.; requiring insurers which issue exclusive provider contracts which provide coverage for psychotherapeutic services to assure equal access to certain providers; creating s. 627.6474, F.S.; providing for preferred provider and exclusive provider plans; providing for minority recruitment and retention plans; amending s. 627.6561, F.S.; authorizing certain group policies to exclude coverage for preexisting conditions under certain circumstances; revising a time limitation for coverage of preexisting conditions; amending s. 627.6645, F.S.; relating to cancellation, expiration, nonrenewal, or change in rates; amending s. 627.6699, F.S.; revising the Employee Health Care Access Act; revising provisions relating to community health purchasing alliances to conform; prohibiting small employer carriers from imposing minimum participation requirements under certain circumstances; requiring the standard benefit plan to provide certain coverages; creating the Rare and Chronic Disease Advisory Council to advise the Agency for Health Care Administration for certain purposes; providing for membership; providing duties of the council; providing for expiration of the council; amending s. 627.6745, F.S.; providing refund and credit calculations to be made by certain insurers; amending s. 641.31, F.S.; specifying conditions for delivery in this state of certain health maintenance service documents; requiring a health maintenance organization to file amendments to certain documents and receive approval before using such documents as amended; creating s. 641.31095, F.S.; specifying conditions of liability of succeeding health maintenance organizations under certain circumstances; providing requirements for replacement of health maintenance organization contracts; creating s. 641.3112, F.S.; providing for dependent coverage by a health maintenance organization; providing criteria; creating s. 641.3114, F.S.; specifying policy requirements with respect to preexisting conditions; amending s. 61.12, F.S.; providing for attachment or garnishment of amounts due for child support for health insurance; amending s. 409.2557, F.S.; requiring the Department of Health and Rehabilitative Services to adopt rules to implement certain provisions of federal law; requiring the department to enter into a cooperative agreement with certain agencies for such implementation; creating s. 624.3103, F.S.; specifying compliance by certain insurance providers with certain provisions of federal law; requiring a study on health care provider participation in health maintenance organizations; amending s. 110.123, F.S.; providing a definition; specifying rights of vested state employees to continue in the state group health insurance plan upon termination; repealing ss. 627.622 and 627.623, F.S., relating to insurance with other insurers; repealing s. 455.2555, F.S., relating to imposition of a fee schedule on providers of designated health services; providing legislative intent with respect to certain causes of action relating to said section; creating s. 381.0408, F.S.; establishing an Office of Minority Health; providing intent; providing functions of the Office of Minority Health; providing severability; providing appropriations; creating s. 110.12311, F.S.; providing legislative intent; establishing a state employee fitness-wellness pilot project; defining activities which constitute fitness-wellness activities; requiring state agencies to collect and transmit certain data; establishing standards for employee participation in the program; establishing duties for the Department of Management Services; requiring a report; providing an appropriation; directing the Agency for Health Care Administration to develop recommendations on revisions to the basic benefit package; amending s. 409.912, F.S.; requiring Healthy Start screening; creating s. 409.9051, F.S.; prohibiting Medicaid payments for fertility drugs in certain situations; amending s. 381.0051, F.S.; authorizing the Department of Health and Rehabilitative Services to establish an oral contraceptive distribution program; authorizing pilot projects; providing conditions for program participation; providing eligibility criteria; providing maximum fees for oral contraceptives; providing rulemaking authority; amending s. 409.905, F.S.; expanding Medicaid family planning services to include counseling on sterilization procedures and types of contraceptives; amending ss. 409.9112 and 409.9113, F.S.; conditioning disproportionate share payments for perinatal intensive care centers and teaching hospi-

tals on an agreement to maintain certain facilities for performing sterilization procedures; providing an exemption; providing effective dates.

—was referred to the Committees on Health Care, Commerce and Appropriations.

By the Committee on Judiciary and Representative Trammell—

HJR 2519—A joint resolution proposing an amendment to Section 4 of Article X of the State Constitution relating to exemption of homestead from forced sale.

—was referred to the Committees on Judiciary; Commerce; and Rules and Calendar.

By Representative Laurent—

HM 2257—A memorial to the Congress of the United States, urging it to amend the Bankruptcy Code of 1978, 11 U.S.C. ss. 101-1330, relating to local government revenue sources.

—was referred to the Committees on Appropriations; and Rules and Calendar.

RETURNING MESSAGES ON SENATE BILLS

The Honorable Pat Thomas, President

I am directed to inform the Senate that the House of Representatives has passed with amendment CS for SB 340 and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for SB 340—A bill to be entitled An act relating to statutorily created decisionmaking or regulatory boards, commissions, councils, and committees; providing intent; defining "minority person"; providing policy with respect to the appointment of members to such bodies to ensure proportionate minority representation; requiring annual reports; requiring retention of certain information regarding applicants and disclosure of such information; providing applicability; providing an effective date.

House Amendment 1—On page 2, strike all of lines 13 and 14

Senator Boczar moved that the Senate concur in the House amendment. The motion was adopted. The vote was:

Yeas—20 Nays—19

CS for SB 340 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39 Nays—1

The Honorable Pat Thomas, President

I am directed to inform the Senate that the House of Representatives has passed with amendments SB 400 and requests the concurrence of the Senate.

John B. Phelps, Clerk

SB 400—A bill to be entitled An act relating to the confidentiality of meetings and records of trauma care services; providing legislative intent and findings of public necessity for exemptions to public meetings and records; amending s. 395.3025, F.S.; providing for disclosure of patient records to a local or regional trauma agency or its panel or committee; amending s. 395.4025, F.S.; correcting cross-references; conforming provisions to changes made by the act; creating s. 395.51, F.S.; providing for confidentiality of records of quality assurance activities conducted by a local or regional trauma agency or its panel or committee; exempting certain meetings and records from the public meetings and records requirements; providing for review and repeal under the Open Government Sunset Review Act; amending s. 401.30, F.S.; providing for disclosure of patient information without the patient's consent to a local or regional trauma agency or its panel or committee assembled to assist in quality assurance activities; providing an effective date.

House Amendment 1—On page 3, line 26, through page 4, line 24, strike all of said lines and insert:

Section 4. Section 395.51, Florida Statutes, is created to read:

395.51 Confidentiality and quality assurance activities of trauma agencies.—

(1) All information which is confidential by operation of law and which is obtained by a local or regional trauma agency or a panel or committee assembled by a local or regional trauma agency pursuant to s. 395.50, shall retain its confidential status and be exempt from the provisions of s. 119.07(1) and s. 24(a) of Article I of the State Constitution.

(2) All information which is confidential by operation of law and which is obtained by a hospital or emergency medical services provider from a local or regional trauma agency or a panel or committee assembled by a local or regional trauma agency pursuant to s. 395.50, shall retain its confidential status and shall be exempt from the provisions of s. 119.07(1) and s. 24(a) of Article I of the State Constitution.

(3) Portions of meetings, proceedings, reports and records of a local or regional trauma agency, or a panel or committee assembled by a local or regional trauma agency pursuant to this chapter, which relate solely to patient care quality assurance are confidential and exempt from the provisions of s. 286.011, and s. 24(b) of Article I of the State Constitution and are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a) of Article I of the State Constitution, respectively. Patient care quality assurance, for the purpose of this section, shall include consideration of specific persons, cases, incidents relevant to the performance of quality control and system evaluation.

(4) The exemptions from ss. 119.07(1) and 286.011 provided by this section are subject to the Open Government Sunset Review Act in accordance with s. 119.14.

(Renumber subsequent sections.)

House Amendment 2—On page 1, line 28, through page 2, line 1, insert:

Section 1. Legislative intent.—The Legislature finds that it is a public necessity that confidential records obtained by, and records and meetings undertaken by, local or regional trauma agencies or their authorized panels or committees, relating to patient care quality assurance be held

(Renumber subsequent sections.)

House Amendment 3 (with Title Amendment)—On page 6, between lines 2 and 3, insert:

Section 6. The Legislature finds that it is a public necessity that records obtained, and meetings undertaken by the Department of Health and Rehabilitative Services, a county public health unit, healthy start coalition or certified rural health network or a panel or committee assembled by the department, a county public health unit, healthy start coalition or certified rural health network, relating to patient care quality assurance be held confidential and exempt from public records and public meeting laws. If it were otherwise, sensitive, personal information concerning patients would be disclosed and open communication and coordination among the parties involved in the public health system would be hampered. Access by the Department of Health and Rehabilitative Services, a county public health unit, healthy start coalition or certified rural health network, to quality assurance records of hospitals that are otherwise confidential increases the potential for reduced morbidity or mortality of individuals and reduces the potential for poor outcomes for patients, thereby improving the overall quality of the public health system. Accordingly, the Legislature finds that harm to the public in releasing such information substantially outweighs any minimal public benefit derived therefrom.

Section 7. Section 381.0055, Florida Statutes, is created to read:

381.0055 Confidentiality and quality assurance activities.—

(1) All information which is confidential by operation of law and which is obtained by the department, a county public health unit, healthy start coalition or certified rural health network or a panel or committee assembled by the department, a county public health unit, healthy start

coalition or certified rural health network pursuant to this section, shall retain its confidential status and be exempt from the provisions of s. 119.07(1) and s. 24(a) of Article I of the State Constitution.

(2) All information which is confidential by operation of law and which is obtained by a hospital or health care provider from the department, a county public health unit, healthy start coalition or certified rural health network or a panel or committee assembled by the department, a county public health unit, healthy start coalition or certified rural health network pursuant to this section, shall retain its confidential status and be exempt from the provisions of s. 119.07(1) and s. 24(1) of Article I of the State Constitution.

(3) Portions of meetings, proceedings, reports, and records of the department, a county public health unit, healthy start coalition or certified rural health network or a panel or committee assembled by the department, a county public health unit, healthy start coalition or certified rural health network pursuant to this section, which relate solely to patient care quality assurance and where specific persons or incidents are discussed are confidential and exempt from the provisions of s. 286.011, and s. 24(b) of Article I of the State Constitution and are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a) of Article I of the State Constitution, respectively. Patient care quality assurance includes medical peer review activities and fetal infant mortality reviews.

(4) The exemptions from ss. 119.07(1) and 286.011 provided by this section are subject to the Open Government Sunset Review Act in accordance with s. 119.14.

(Renumber subsequent sections.)

And the title is amended as follows:

On page 1, line 24, after the semicolon (;) insert: providing legislative intent and findings of public necessity for exemptions to public meetings and records relating to patient care quality assurance; creating s. 381.0055, F.S.; providing for confidentiality of records of quality assurance obtained and held by the Department of Health and Rehabilitative Services, or county public health unit, healthy start coalition or certified rural health network; exempting certain meetings and records from the public meetings and records requirements; providing for review and repeal under the Open Government Sunset Review Act;

House Amendment 4—On page 1, line 3, strike "of trauma care services" and insert: relating to patient care quality assurance activities

Senator Forman moved the following amendments which were adopted:

Senate Amendment 1 to House Amendment 2—On page 1, line 9, after the fourth comma (,) insert: strike all of those lines and

Senate Amendment 1 to House Amendment 3—On page 2, line 27, strike "s. 24(1)" and insert: s. 24(a)

On motions by Senator Forman the Senate concurred in **House Amendments 1 and 4**; concurred in **House Amendments 2 and 3** as amended and requested the House to concur in the Senate amendments to the House amendments.

SB 400 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—36 Nays—None

RETURNING MESSAGES—FINAL ACTION

The Honorable Pat Thomas, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 304, SB 450, CS for SB 626, SB 1100, SB 1106, SB 1110, SB 1112, SB 1118, SB 1126, SB 1134, SB 1136, CS for SB 1278, SB 1366, SB 1464, SB 1518, SB 2938, SB 2960, SB 2968, SB 3078, SB 3082, SB 3086 and SB 3110; and has adopted SCR 14.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

The Honorable Pat Thomas, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments and passed HB 409 and CS for HB 543, as amended.

John B. Phelps, Clerk

ROLL CALLS ON SENATE BILLS

CS for CS for SJR's 2, 4 and 416—Amendment 1

Yeas—25

Mr. President	Crist	Holzendorf	Siegel
Bankhead	Diaz-Balart	Jennings	Silver
Beard	Dudley	Johnson	Turner
Brown-Waite	Foley	Jones	Williams
Casas	Grant	Kirkpatrick	
Childers	Gutman	Kurth	
Crenshaw	Harden	Scott	

Nays—15

Boczar	Forman	Kiser	Sullivan
Burt	Grogan	McKay	Weinstein
Dantzler	Hargrett	Meadows	Wexler
Dyer	Jenne	Myers	

CS for CS for SJR's 2, 4 and 416

Yeas—39

Mr. President	Dantzler	Hargrett	Myers
Bankhead	Diaz-Balart	Holzendorf	Scott
Beard	Dudley	Jenne	Siegel
Boczar	Dyer	Jennings	Silver
Brown-Waite	Foley	Johnson	Sullivan
Burt	Forman	Jones	Turner
Casas	Grant	Kirkpatrick	Weinstein
Childers	Grogan	Kiser	Wexler
Crenshaw	Gutman	Kurth	Williams
Crist	Harden	McKay	

Nays—None

Vote after roll call:

Yea—Meadows

SB 40

Yeas—33

Mr. President	Diaz-Balart	Johnson	Silver
Beard	Dudley	Jones	Sullivan
Boczar	Dyer	Kirkpatrick	Turner
Brown-Waite	Forman	Kiser	Weinstein
Casas	Grant	Kurth	Wexler
Childers	Grogan	McKay	Williams
Crenshaw	Gutman	Meadows	
Crist	Hargrett	Myers	
Dantzler	Jenne	Siegel	

Nays—5

Bankhead	Foley	Holzendorf
Burt	Harden	

Vote after roll call:

Yea to Nay—Crist

CS for SB 234

Yeas—38

Bankhead	Diaz-Balart	Jenne	Scott
Beard	Dudley	Jennings	Siegel
Boczar	Dyer	Johnson	Silver
Brown-Waite	Foley	Jones	Sullivan
Burt	Forman	Kirkpatrick	Turner
Casas	Grogan	Kiser	Weinstein
Childers	Gutman	Kurth	Wexler
Crenshaw	Harden	McKay	Williams
Crist	Hargrett	Meadows	
Dantzler	Holzendorf	Myers	

Nays—None

CS for SB 330

Yeas—37

Bankhead	Diaz-Balart	Jenne	Siegel
Beard	Dudley	Jennings	Silver
Boczar	Dyer	Johnson	Sullivan
Brown-Waite	Foley	Jones	Turner
Burt	Forman	Kiser	Weinstein
Casas	Grogan	Kurth	Wexler
Childers	Gutman	McKay	Williams
Crenshaw	Harden	Meadows	
Crist	Hargrett	Myers	
Dantzler	Holzendorf	Scott	

Nays—None

CS for SB 340—Motion

Yeas—20

Mr. President	Forman	Jenne	Silver
Boczar	Grogan	Johnson	Turner
Casas	Gutman	Jones	Weinstein
Diaz-Balart	Hargrett	Kurth	Wexler
Dyer	Holzendorf	Meadows	Williams

Nays—19

Bankhead	Crist	Harden	Myers
Brown-Waite	Dantzler	Jennings	Scott
Burt	Dudley	Kirkpatrick	Siegel
Childers	Foley	Kiser	Sullivan
Crenshaw	Grant	McKay	

CS for SB 340

Yeas—39

Mr. President	Dantzler	Holzendorf	Myers
Bankhead	Diaz-Balart	Jenne	Scott
Beard	Dudley	Jennings	Siegel
Boczar	Dyer	Johnson	Silver
Brown-Waite	Foley	Jones	Sullivan
Burt	Forman	Kirkpatrick	Turner
Casas	Grant	Kiser	Weinstein
Childers	Grogan	Kurth	Wexler
Crenshaw	Gutman	McKay	Williams
Crist	Hargrett	Meadows	

Nays—1

Harden

SB 400

Yeas—36

Bankhead	Dantzler	Harden	Myers
Beard	Diaz-Balart	Holzendorf	Scott
Boczar	Dudley	Jennings	Siegel
Brown-Waite	Dyer	Johnson	Silver
Burt	Foley	Jones	Sullivan
Casas	Forman	Kirkpatrick	Turner
Childers	Grant	Kiser	Weinstein
Crenshaw	Grogan	Kurth	Wexler
Crist	Gutman	Meadows	Williams

Nays—None

Vote after roll call:

Yea—Hargrett

SB 616

Yeas—40

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Turner
Childers	Grogan	Kiser	Weinstein
Crenshaw	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams

Nays—None

CS for CS for CS for SB 1018

Yeas—40

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Turner
Childers	Grogan	Kiser	Weinstein
Crenshaw	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams

Nays—None

CS for SB 1158

Yeas—39

Mr. President	Dantzler	Holzendorf	Myers
Bankhead	Diaz-Balart	Jenne	Scott
Beard	Dudley	Jennings	Siegel
Boczar	Dyer	Johnson	Silver
Brown-Waite	Foley	Jones	Sullivan
Burt	Forman	Kirkpatrick	Turner
Casas	Grogan	Kiser	Weinstein
Childers	Gutman	Kurth	Wexler
Crenshaw	Harden	McKay	Williams
Crist	Hargrett	Meadows	

Nays—None

SB 1254

Yeas—40

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Turner
Childers	Grogan	Kiser	Weinstein
Crenshaw	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams

Nays—None

CS for CS for SB 1332

Yeas—37

Mr. President	Dantzler	Hargrett	Myers
Bankhead	Diaz-Balart	Holzendorf	Siegel
Beard	Dudley	Jenne	Silver
Boczar	Dyer	Jennings	Sullivan
Brown-Waite	Foley	Johnson	Weinstein
Burt	Forman	Kirkpatrick	Wexler
Casas	Grant	Kiser	Williams
Childers	Grogan	Kurth	
Crenshaw	Gutman	McKay	
Crist	Harden	Meadows	

Nays—2

Jones

Turner

SB 1546

Yeas—39

Mr. President	Dantzler	Hargrett	Myers
Bankhead	Diaz-Balart	Holzendorf	Scott
Beard	Dudley	Jennings	Siegel
Boczar	Dyer	Johnson	Silver
Brown-Waite	Foley	Jones	Sullivan
Burt	Forman	Kirkpatrick	Turner
Casas	Grant	Kiser	Weinstein
Childers	Grogan	Kurth	Wexler
Crenshaw	Gutman	McKay	Williams
Crist	Harden	Meadows	

Nays—None

CS for SB 1780

Yeas—40

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Turner
Childers	Grogan	Kiser	Weinstein
Crenshaw	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams

Nays—None

SB 1820

Yeas—39

Mr. President	Dantzler	Hargrett	Myers
Bankhead	Diaz-Balart	Jenne	Scott
Beard	Dudley	Jennings	Siegel
Boczar	Dyer	Johnson	Silver
Brown-Waite	Foley	Jones	Sullivan
Burt	Forman	Kirkpatrick	Turner
Casas	Grant	Kiser	Weinstein
Childers	Grogan	Kurth	Wexler
Crenshaw	Gutman	McKay	Williams
Crist	Harden	Meadows	

Nays—1

Holzendorf

SB 2184

Yeas—37

Mr. President	Dantzler	Hargrett	Siegel
Bankhead	Diaz-Balart	Holzendorf	Silver
Beard	Dudley	Jennings	Sullivan
Boczar	Dyer	Johnson	Turner
Brown-Waite	Foley	Kirkpatrick	Weinstein
Burt	Forman	Kiser	Wexler
Casas	Grant	Kurth	Williams
Childers	Grogan	McKay	
Crenshaw	Gutman	Meadows	
Crist	Harden	Myers	

Nays—None

SB 1854

Yeas—39

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Siegel
Boczar	Dyer	Jennings	Silver
Brown-Waite	Foley	Johnson	Sullivan
Burt	Forman	Jones	Turner
Casas	Grant	Kirkpatrick	Weinstein
Childers	Grogan	Kiser	Wexler
Crenshaw	Gutman	Kurth	Williams
Crist	Harden	McKay	

Nays—None

CS for SB 2246

Yeas—38

Bankhead	Diaz-Balart	Jenne	Scott
Beard	Dudley	Jennings	Siegel
Boczar	Dyer	Johnson	Silver
Brown-Waite	Foley	Jones	Sullivan
Burt	Forman	Kirkpatrick	Turner
Casas	Grogan	Kiser	Weinstein
Childers	Gutman	Kurth	Wexler
Crenshaw	Harden	McKay	Williams
Crist	Hargrett	Meadows	
Dantzler	Holzendorf	Myers	

Nays—None

CS for SB 1922

Yeas—39

Mr. President	Dantzler	Holzendorf	Myers
Bankhead	Diaz-Balart	Jenne	Scott
Beard	Dudley	Jennings	Siegel
Boczar	Dyer	Johnson	Silver
Brown-Waite	Foley	Jones	Sullivan
Burt	Forman	Kirkpatrick	Turner
Casas	Grant	Kiser	Weinstein
Childers	Grogan	Kurth	Wexler
Crenshaw	Gutman	McKay	Williams
Crist	Harden	Meadows	

Nays—None

Vote after roll call:

Yea—Hargrett

SB 2414

Yeas—38

Bankhead	Diaz-Balart	Jenne	Scott
Beard	Dudley	Jennings	Siegel
Boczar	Dyer	Johnson	Silver
Brown-Waite	Foley	Jones	Sullivan
Burt	Forman	Kirkpatrick	Turner
Casas	Grogan	Kiser	Weinstein
Childers	Gutman	Kurth	Wexler
Crenshaw	Harden	McKay	Williams
Crist	Hargrett	Meadows	
Dantzler	Holzendorf	Myers	

Nays—None

SB 2730

Yeas—40

Yeas—39

Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Turner
Childers	Grogan	Kiser	Weinstein
Crenshaw	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams
Dantzler	Hargrett	Meadows	

Nays—None

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Turner
Childers	Grogan	Kiser	Weinstein
Crenshaw	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams

Nays—None

CS for SB 2998

Yeas—37

Bankhead	Dudley	Jennings	Siegel
Boczar	Dyer	Johnson	Silver
Brown-Waite	Foley	Jones	Sullivan
Burt	Forman	Kirkpatrick	Turner
Casas	Grant	Kiser	Weinstein
Childers	Gutman	Kurth	Wexler
Crenshaw	Harden	McKay	Williams
Crist	Hargrett	Meadows	
Dantzler	Holzendorf	Myers	
Diaz-Balart	Jenne	Scott	

Nays—None

SB 3098

Yeas—38

Mr. President	Dantzler	Holzendorf	Myers
Bankhead	Diaz-Balart	Jenne	Siegel
Beard	Dyer	Jennings	Silver
Boczar	Foley	Johnson	Sullivan
Brown-Waite	Forman	Jones	Turner
Burt	Grant	Kirkpatrick	Weinstein
Casas	Grogan	Kiser	Wexler
Childers	Gutman	Kurth	Williams
Crenshaw	Harden	McKay	
Crist	Hargrett	Meadows	

Nays—None

ROLL CALLS ON HOUSE BILLS

CS for HB 137

Yeas—40

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Turner
Childers	Grogan	Kiser	Weinstein
Crenshaw	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams

Nays—None

HB 1055

Yeas—37

Bankhead	Diaz-Balart	Holzendorf	Siegel
Beard	Dudley	Jenne	Silver
Boczar	Dyer	Jennings	Sullivan
Brown-Waite	Foley	Johnson	Turner
Burt	Forman	Jones	Weinstein
Casas	Grant	Kirkpatrick	Wexler
Childers	Grogan	Kurth	Williams
Crenshaw	Gutman	McKay	
Crist	Harden	Myers	
Dantzler	Hargrett	Scott	

Nays—None

Vote after roll call:

Yea—Meadows

HB 1105

Yeas—36

Bankhead	Dantzler	Harden	McKay
Beard	Diaz-Balart	Hargrett	Meadows
Boczar	Dudley	Holzendorf	Myers
Brown-Waite	Dyer	Jenne	Siegel
Burt	Foley	Jennings	Silver
Casas	Forman	Johnson	Sullivan
Childers	Grant	Jones	Turner
Crenshaw	Grogan	Kirkpatrick	Weinstein
Crist	Gutman	Kiser	Wexler

Nays—None

CS for HB 1199

Yeas—38

Bankhead	Diaz-Balart	Jenne	Scott
Beard	Dudley	Jennings	Siegel
Boczar	Dyer	Johnson	Silver
Brown-Waite	Foley	Jones	Sullivan
Burt	Forman	Kirkpatrick	Turner
Casas	Grogan	Kiser	Weinstein
Childers	Gutman	Kurth	Wexler
Crenshaw	Harden	McKay	Williams
Crist	Hargrett	Meadows	
Dantzler	Holzendorf	Myers	

Nays—None

CS for HB 1259

Yeas—40

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Turner
Childers	Grogan	Kiser	Weinstein
Crenshaw	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams

Nays—None

CS for HB 1377

Yeas—39

Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Turner
Childers	Grogan	Kiser	Weinstein
Crenshaw	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams
Dantzler	Hargrett	Meadows	

Nays—None

HB 1633

Yeas—38

Mr. President	Beard	Brown-Waite	Casas
Bankhead	Boczar	Burt	Childers

Crenshaw	Grogan	Kirkpatrick
Crist	Gutman	Kiser
Dantzler	Harden	Kurth
Diaz-Balart	Hargrett	McKay
Dudley	Holzendorf	Meadows
Dyer	Jenne	Myers
Forman	Johnson	Scott
Grant	Jones	Siegel

Nays—None

Vote after roll call:

Yea—Foley

CS for HB 1689

Yeas—40

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Turner
Childers	Grogan	Kiser	Weinstein
Crenshaw	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams

Nays—None

CS for HB's 1705 and 1781

Yeas—39

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Siegel
Boczar	Dyer	Jennings	Silver
Brown-Waite	Foley	Johnson	Sullivan
Burt	Forman	Jones	Turner
Casas	Grant	Kirkpatrick	Weinstein
Childers	Grogan	Kiser	Wexler
Crenshaw	Gutman	Kurth	Williams
Crist	Harden	McKay	

Nays—None

HB 2243

Yeas—40

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Turner
Childers	Grogan	Kiser	Weinstein
Crenshaw	Gutman	Kurth	Wexler
Crist	Harden	McKay	Williams

Nays—None

HB 2443

Yeas—39

Mr. President	Burt	Dantzler	Grant
Bankhead	Casas	Diaz-Balart	Grogan
Beard	Childers	Dyer	Gutman
Boczar	Crenshaw	Foley	Harden
Brown-Waite	Crist	Forman	Hargrett

Holzendorf	Kirkpatrick	Myers	Turner
Jenne	Kiser	Scott	Weinstein
Jennings	Kurth	Siegel	Wexler
Johnson	McKay	Silver	Williams
Jones	Meadows	Sullivan	

Nays—None

HB 2541

Yeas—36

Mr. President	Crist	Hargrett	McKay
Bankhead	Dantzler	Holzendorf	Meadows
Beard	Diaz-Balart	Jenne	Myers
Boczar	Dudley	Jennings	Scott
Brown-Waite	Dyer	Johnson	Silver
Burt	Foley	Jones	Sullivan
Casas	Grant	Kirkpatrick	Turner
Childers	Grogan	Kiser	Weinstein
Crenshaw	Harden	Kurth	Wexler

Nays—None

Vote after roll call:

Yea—Forman, Siegel, Williams

ROLL CALL ON LOCAL BILLS

The following roll call was taken on **Senate Bills 2942, 2948, 3040, 3062, 3068, 3072, 3074, 3112, 3114, 3116, 3124 and 3128; House Bills 703, 817, 1041 and 1543** which passed this day:

Yeas—37

Bankhead	Diaz-Balart	Jennings	Siegel
Beard	Dudley	Johnson	Silver
Boczar	Dyer	Jones	Sullivan
Brown-Waite	Foley	Kirkpatrick	Turner
Burt	Forman	Kiser	Weinstein
Casas	Grant	Kurth	Wexler
Childers	Grogan	McKay	Williams
Crenshaw	Harden	Meadows	
Crist	Holzendorf	Myers	
Dantzler	Jenne	Scott	

Nays—None

SELECT SUBCOMMITTEE APPOINTMENT

Senator Wexler announced the appointment of Senator Weinstein, Chairman; Senators Crist and Siegel to the Select Subcommittee on Claims Bills under the Committee on Finance, Taxation and Claims.

ENROLLING REPORTS

SB 34, SB 50, SB 52, SB 56, SB 66, SB 102, SB 106, SB 590, CS for SB 612, SB 1026, SB 1082, SB 1102, CS for SB 1392, SB 1468, CS for SB 1482 and SB 1766 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 4, 1994.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 31 was corrected and approved.

CO-SPONSORS

Senator Grogan—SB 678; Senator Siegel—CS for SB 1246, SB 1774; Senator Grant—SB 1350; Senator Turner—SB 1774, SB 2366; Senators Casas, Childers, Forman, Holzendorf, Weinstein and Wexler—SB 1774; Senator Meadows—SB 2366

Senator Dyer withdrew as the prime sponsor of SB 1824.

RECESS

On motion by Senator Kirkpatrick, the Senate recessed at 6:18 p.m. to reconvene at 9:00 a.m., Tuesday, April 5.

SENATE PAGES

April 4-8

Ginny Crenshaw, Jacksonville; Sarah Crenshaw, Jacksonville; Abraham Donner, Boca Raton; Meredith T. Fensom, Panama City; Ruth M. Gavish, Brooksville; Wynton C. Hall, Tampa; Amy Hatton, Pahokee; Eric Herring, Merritt Island; Parker M. Hightower, Jacksonville; A. Lee Hudgins IV, Tallahassee; Rachel E. Maddux, St. Petersburg; Jason Moyer, Sarasota; Suzanna C. Stowell, Jacksonville; Allison Stribling, Ocala; Colleen A. Sullivan, Miami; Elizabeth Sullivan, Winter Park; Janie Sullivan, Winter Haven; Chantel A. Todd, Marathon; Allison Turnbull, Winter Park; Ransey P. White, Naples